

RESOLUTION NO. 19-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS LEVIED IN ALL OR PART OF PANAMA CITY BEACH, FLORIDA; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to, sections 197.3632 and 197.3635, Florida Statutes (collectively, the "Uniform Collection Act"), and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared as follows:

(A) The City Council of the City of Panama City Beach, Florida is contemplating the imposition of one or more series of special assessments, sometimes referred to as non-ad valorem assessments associated with community redevelopment, for the provision of, among other things, administration, operations, maintenance, capital improvements and/or capital equipment and other essential services within the City including Front Beach Road Community Redevelopment Area, and/or unpaid assessments, rates, fees and charges (or amounts equivalent thereto) associated therewith (the "Capital and Services").

(B) The City Council desires to preserve the option to use the uniform method for collecting non-ad valorem assessments to fund the cost of providing such Capital and Services to property within the City of Panama City Beach, Florida as authorized by the Uniform Collection Act, which will allow such assessments to be collected each year commencing in November 2020, in the same manner as provided for ad valorem taxes. A description of the boundaries of the City of Panama City Beach, Florida is attached hereto as Exhibit A.

(C) The City Council held a duly advertised public hearing for the purpose of considering the adoption of this Resolution, proof of publication providing notice of such hearing being attached hereto as Exhibit B.

(D) The City Council intends and agrees to be bound by the statutory terms required for the use of the uniform method for collecting non-ad valorem assessments, including reimbursement to the tax collector and property appraiser of necessary administrative costs and actual costs of collection not exceeding the amounts allowed and provided for by law upon certification of the non-ad valorem assessment roll to the tax collector on a compatible electronic medium without error or omission by September 15, 2020.

SECTION 3. UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS.

(A) Commencing with the ad valorem tax bills issued in November 2020 and each year thereafter, the City of Panama City Beach, Florida hereby preserves the opportunity and announces its intention to use the uniform method authorized by the Uniform Collection Act for collecting non-ad valorem assessments associated with providing the Capital and Services.

(B) The City Council hereby determines that the levy of such assessments is needed to pay or fund the cost of providing such Capital and Services.

(C) Adoption of this Resolution is for the purpose of complying with the statutory requirements that the City Council publicly announce and inform the Florida Department of Revenue, the respective property appraiser, and tax collector that it may levy non-ad valorem special assessments and use the uniform method of collection.

(D) Adoption of this Resolution shall not be deemed to commit or require the City Council to impose any assessments; but, the City Council expects to commence imposing and levying such assessments using the direct billing method for FY 2019-20 as soon as possible.

(E) Upon adoption, the City Manager of City of Panama City Beach, Florida, or designee thereof, is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, and the respective property appraisers and tax collectors by January 10, 2020.

(F) **SECTION 4. CONSTRUCTION; EFFECTIVE DATE.** This Resolution shall be liberally construed to effect the purposes hereof and shall become effective immediately upon adoption.

DULY ADOPTED this 12th day of September, 2019.

**THE CITY COUNCIL OF THE CITY OF
PANAMA CITY BEACH, FLORIDA**

By:  (Seal)
Mayor

ATTEST:


City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF THE CITY OF PANAMA CITY BEACH, FLORIDA

The boundaries of the entirety of City of Panama City Beach, Florida, which also more particularly embrace and include:

The City of Panama City Beach shall embrace and include that territory in Bay County, Florida, described as follows: Beginning at the intersection of the water's edge of the Gulf of Mexico and the West line of the Southeast Quarter of the southwest quarter of Fractional Section 6, township 4 South, Range 15 West; thence North along said West line to a point 1023.35 feet South of the Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 6; thence S55°00'E, 190 feet; thence N35°00'E, 131.67 feet, to the South Right of Way line of Surf Drive; thence N52°47'W, and along the said South R/W of Surf Drive, 240 feet, more or less to the West R/W of Surf Drive; thence N32°27'E, and along the said West R/W of Surf Drive 402.2 feet, more or less, to the South R/W of State Road S-392 (Thomas Drive); thence Westerly, along the South R/W of SR S-392 to a point on said South R/W, which is S37°15'37"W of the following described point on the North R/W of said SR S-392 (Thomas Drive). Commencing at the NW Corner of Section 6, Township 4 South, Range 15 West, proceed South along the West line of Section 6, to the North R/W of SR S-392; thence Southeasterly along the North R/W of the curve of SR S-392 to the Point of Tangency of curve, (having a Radius of 955.37'; central angle of 49 degrees, 28') 760' more or less; thence S52°44'23"E, 291.90' to said point; thence N37°15'37"E, and across said SR S-392, to the waters edge of Grand Lagoon; thence Northwesterly along the waters edge of Grand Lagoon, to the intersection of the West line of Section 6, Township 4 South, Range 15 West; thence North, along the West line of said Section 6, to the NE corner of Fractional Section 1, Township 4 South, Range 16 West; thence West along the North line of said Section 1, and South line of Section 36, Township 3 South, Range 16 West, to the Westerly R/W of SR S-392 (Thomas Drive); thence Northerly and Westerly, along the Southerly R/W of SR S-392 to a point which is the intersection of the said Southerly R/W and a point 90 feet East of the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 36; thence South, and 90 feet East of, and parallel to said West line of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, to the South line of said Section 36; thence West, along the South line of Section 36, Township 3 South, Range 16 West, 90 feet, more or less, to the SE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 36, thence North along the East line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ to the intersection with the South R/W line of U.S. Highway 98; thence West along said South R/W line of U.S. Highway 98 to a point that is 1020' East of the West line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36; thence North, 800 feet, more or less, to the North line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36; thence West along the North line of said SW $\frac{1}{4}$ of SE $\frac{1}{4}$, 1020 feet to the SE Corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 36; thence North along the East line of said NE $\frac{1}{4}$ of SW $\frac{1}{4}$, $\frac{1}{2}$ mile to the NE corner of the SW $\frac{1}{4}$ of said Section 36; thence West along the $\frac{1}{2}$ Section Lines of Sections 36 and 35 to the NW Corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 35, Township 3 South, Range 16 West; thence North along the West line of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 35, $\frac{3}{10}$ miles, more or less, to the North R/W line of State Road S-392-A; thence Northwesterly along said North R/W line, to the West line of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 27, Township 3 South, Range 16 West (being the quarter-quarter line); thence North along the quarter-quarter section line, to the Northeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 27, thence West along the quarter-quarter section line, .19 miles to the East R/W line of SR S-30-C; thence North along said East R/W line of SR S-30-C, .23 miles to the North R/W line of SR S-30-A; thence Westerly along the North R/W line of SR S-30-A; .20 miles; thence North 1141.13'; thence N42°33'41"W, 125' to the existing East Boundary Line of the East Leg of the West Bay Golf Course; thence Northerly along said Golf Course, .67 miles to the North line of Section 22, Township 3 South, Range 16 West; thence West along said North line, $\frac{1}{4}$ mile to the SW Corner of the E $\frac{1}{2}$ of U.S.

government Lot 4 of Section 15, Township 3 South, Range 16 West; thence North along the West line of the E ½ of Government Lot 4, 567.02'; thence West, 660.68' to the West line of Section 15, Township 3 South, Range 16 West; thence South along the West line of Section 15, 567.02' to the NW Corner of Section 22, Township 3 South, Range 16 West; thence South along the West line of Section 22, ¾ mile; thence East, 1/8 mile; thence South, ¼ mile to the South section line; thence West along said South Section line, 1/8 mile to the SW Corner of said Section 22; thence continue West along the Section line, ½ mile to the SW corner of the SE ¼ of Section 21, Township 3 South, Range 16 West; thence North along the half section line, ½ mile to the center of said Section 21; thence West along the half section line, ¾ mile; thence North along the quarter-quarter section line, ¼ mile; thence West along the quarter-quarter section line, ½ mile; thence North along the quarter-quarter section line, ¼ mile to the South line of Section 17, Township 3 South, Range 16 West; thence West, ¼ mile to the West line of said Section 17; thence North along said section line and the East Boundary Line of Gulf Highlands Subdivision to the NE Corner of said Subdivision; thence Westerly along the North Boundary Line of said Subdivision to the East R/W line of State Road S-79; thence Northerly along the East R/W line of said State Road S-79 to the South line of Section 7, Township 3 South, Range 16 West; thence West along the South lines of Section 7 and Section 12, Township 3 South, Range 17 West, to the SE corner of the SW ¼ of the SW ¼ of said Section 12; thence North along the quarter-quarter section line, ¼ mile; thence West along the quarter-quarter section line, ¼ mile to the West line of said Section 12; thence North along said West line, ¼ mile; thence West along the quarter-quarter section line of Section 11, Township 3 South, Range 17 West, ¼ mile; thence South along the quarter-quarter section line, ½ mile to the North line of Fractional Section 14, Township 3 South, Range 17 West; thence West along said North line to the Gulf of Mexico; thence South, 300'; thence Southeasterly following the meanderings of the Gulf of Mexico and always 300' Southwesterly therefrom, approximately 11.50 miles to a point that is 300' South of the Point of Beginning; thence North, 300' to the Point of Beginning.

TOGETHER WITH ALL LANDS ANNEXED INTO THE CITY PURSUANT TO ORDINANCES ADOPTED BY THE CITY.

LESS AND EXCEPT THE FOLLOWING PARCEL:

Begin at the Southeast Corner of that certain parcel conveyed by Long Beach Resorts, Inc. to W.J. Braswell, et ux, dated March 21, 1950, and recorded in Bay County, Florida Deed Book 144, at page 299; thence West along the South line of said Braswell property (South line of Section 36, Township 3 South, Range 16 West) to the West line of Gulf Drive; thence North along the West line of Gulf Drive to the intersection of the Southerly right-of-way line of U.S. Highway 98; thence Easterly along said Southerly right-of-way of U.S. Highway 98 to the Northwest corner of that certain parcel described in Ordinance #144 of the City of Panama City Beach, enacted July 28, 1971, and recorded in Bay County Official records Book 399, at page 692; thence Southerly 257 feet more or less to the water's edge of a lake; thence Easterly along said lake 300 feet more or less to a point South of the Northeast Corner of said parcel described in Ordinance #144 and to the East line of the said Braswell parcel; thence south to the Point of Beginning.

EXHIBIT B

PROOF OF PUBLICATION

[attach the affidavit and proof of publication from newspaper]

NOTICE OF INTENT TO USE UNIFORM METHOD OF
COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS

The City Council of the City of Panama City Beach, Florida ("City") hereby provides notice, pursuant to Section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem assessments levied within the bounds and area of the City for the cost of providing capital improvements, and/or essential services, and/or unpaid assessments, rates, fees and charges or amounts equivalent thereto associated with among other things, administration, operations, maintenance, capital improvements and/or capital equipment and other essential services within the Front Beach Road Community Redevelopment Area, and/or unpaid assessments, rates, fees and charges (or amounts equivalent thereto) associated therewith (the "Capital and Services") and related capital and services commencing in November 2020. The City will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by Section 197.3632, Florida Statutes, at a public hearing on September 12, 2019, at 6:00 PM in the City Hall Annex, George C. Cowgill Building located at 110 South Arnold Road, Panama City Beach, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the description of the real property subject to the levy, are on file at the City offices located in City Hall located at 110 South Arnold Road, Panama City Beach, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the City with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Clerk at (850) 233-5100 at least two (2) days prior to the date of the hearing.

By: CITY COUNCIL OF THE CITY OF PANAMA CITY BEACH, FLORIDA

Publish in the Panama City News Herald on:

August 20, 2019

August 27, 2019

September 3, 2019

September 10, 2019

The News Herald

501 W. 11th Street
P.O. Box 1940, Panama City, FL 32401
Published Daily
Panama City, Bay County, Florida

State of Florida County of Bay

Before the undersigned authority personally appeared Karen Glenn, who on oath says that she is a Legal Advertising Representative of The News Herald, a newspaper published at Panama City in Bay County, Florida; that the attached copy of advertisement, being a Legal Advertisement #24901 in the matter of **NOTICE OF INTENT - Uniform Method** in the Bay County Court, was published in said newspaper in the issue of **August 20, 27, September 3, 10, 2019**.

Affiant further says that the said The News Herald is a newspaper published at Panama City, in said Bay County, Florida, is a *direct successor of the Panama City News* and that the said newspaper, together with its direct predecessor, has heretofore been continuously published in said Bay County, Florida, each day (except that the predecessor, *Panama City News*, was not published on Sundays) and has been entered as periodicals matter at the post office in Panama City, in said Bay County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that (s)he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Karen Glenn

State of Florida
County of Bay

Sworn to and subscribed before me this **10th day of September, A.D., 2019**. By Karen Glenn, Legal Advertising Representative of The News Herald, who is personally known to me or has produced N/A as identification.

Melissa Elaine Clemmons
Notary Public, State of Florida at Large



24901 NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS

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