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ORDINANCE NO. 150086

An ordinance of the City of Gainesville, Florida, providing consent for the entire corporate limits of the City of Gainesville, Florida to be included in the non-ad valorem assessment for the municipal service benefit unit created by Alachua County for certain solid waste management services for the fiscal year 2015-2016; providing conditions for the consent; providing that the consent is for the one-year period; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

11 **WHEREAS**, pursuant to §197.3632(3)(a), Florida Statutes, Alachua County advertised a
12 notice of intent to use the uniform method of collecting non-ad valorem assessments throughout
13 the County to fund a portion of the cost of solid waste management in the incorporated and
14 unincorporated areas of the County and has adopted a resolution stating its intent as set forth in
15 the advertisement; and

16 **WHEREAS**, pursuant to §125.01(1)(q), Florida Statutes, the County is authorized to
17 establish a municipal service benefit unit for any part or all of the unincorporated area of the
18 county for the purpose of providing for solid waste services; and

19 **WHEREAS**, by Charter 75, Article IV, Alachua County Code, the County created the
20 Municipal Services Benefit Unit for solid waste management to include property within a
21 municipality with the consent of the municipality; and

22 **WHEREAS**, pursuant to §125.01(1)(q), Florida Statutes, a municipal service benefit can
23 be extended to include a municipality with the consent of the governing body of the
24 municipality; and

25 **WHEREAS**, the City of Gainesville desires to provide consent for the entire corporate
26 limits of the City to be included in the non-ad valorem assessment for the provision of certain
27 solid waste management services that benefit the residents of the City; and

1 **WHEREAS**, at least 10 days' notice prior to adoption has been given once by
2 publication in a newspaper of general circulation notifying the public of this proposed ordinance
3 and of a Public Hearing in the City Commission Auditorium in City Hall, City of Gainesville;
4 and

5 **WHEREAS**, a Public Hearing was held pursuant to the published notice described at
6 which hearing the parties in interest and all others had an opportunity to be and were, in fact,
7 heard.

8 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
9 **CITY OF GAINESVILLE, FLORIDA:**

10 **Section 1.** Subject to the conditions provided in this ordinance, the City Commission of
11 the City of Gainesville, as the City's governing body, consents to the inclusion of the City in a
12 non-ad valorem special assessment for the municipal service benefit unit as stated in Alachua
13 County Resolution No. 14-126, adopted on December 9, 2014, a copy of which is attached as
14 Exhibit "A." This consent is given only as to an assessment to fund the Waste Alternatives
15 Program; the Environmental Protection Program; an approximate, not to exceed, amount of 36%
16 of the Rural Collection Centers Program; Solid Waste Facilities Cost; and does not apply to
17 assessments to fund the collection, disposal or recycling costs other than specifically provided
18 herein. "Solid Waste Facilities Cost," as defined in Alachua County Resolution No. 15-63,
19 means the estimated cost of providing, maintaining, operating, and monitoring the Solid Waste
20 Management Facilities known as "closed landfills" (including the Northeast, the Northeast
21 Auxiliary, the Southeast and the Northwest closed landfills) and the property intended for future
22 Solid Waste Management Facilities known as Balu Forest.

23 **Section 2.** This consent is granted subject to the following conditions: 1) the total
24 assessment in both the incorporated and unincorporated areas of the county does not exceed the

1 maximum amount to be collected from the assessment which is printed on the first class notice
2 distributed by Alachua County; 2) all residences in the mandatory collection area of the
3 unincorporated area and incorporated areas of the county are assessed equally; 3) all non-
4 residential property in the unincorporated area and incorporated areas of the county are assessed
5 an amount based on factors other than their location in an incorporated or unincorporated area;
6 and 4) that the benefit of the programs provided for by this assessment equals or exceeds the
7 amount assessed.

8 **Section 3.** This consent is granted only for the assessments billed in November 2015, for
9 services rendered from October 1, 2015 to September 30, 2016, and, further provided the County
10 first adopts a Resolution, when appropriate, authorizing the collection of non-ad valorem
11 assessments for solid waste services for Fiscal Year 2015-2016.

12 **Section 4.** If any word, phrase, clause, paragraph, section or provision of this ordinance
13 or the application hereof to any person or circumstance is held invalid or unconstitutional, such
14 finding shall not affect the other provisions or applications of the ordinance which can be given
15 effect without the invalid or unconstitutional provisions or application, and to this end the
16 provisions of this ordinance are declared severable.

17 **Section 5.** All ordinances or parts of ordinances, in conflict herewith are to the extent of
18 such conflict hereby repealed.

19

1 **Section 6.** This ordinance shall take effect immediately upon adoption.

2 **PASSED AND ADOPTED** this 17th day of September, 2015.

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EDWARD B. BRADDY
MAYOR

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11 Attest:

Approved as to form and legality:

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This ordinance passed on first reading this 3rd day of September, 2015.

This ordinance passed on second reading this 17th day of September, 2015.



KURT M. LANNON
CLERK OF THE COMMISSION



NICOLLE M. SHALLEY
CITY ATTORNEY

RESOLUTION 14-126

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR SOLID WASTE COLLECTION, DISPOSAL, RECYCLING AND MANAGEMENT; AND FOR COMMUNITY MAINTENANCE IN THE SUGARFOOT OAKS/CEDAR RIDGE PRESERVATION AND ENHANCEMENT DISTRICT; INDICATING INTENT TO LEVY SUCH NON-AD VALOREM ASSESSMENTS AGAINST IMPROVED PROPERTY THROUGHOUT ALACHUA COUNTY, INCLUDING THE INCORPORATED AND UNINCORPORATED AREAS OF THE COUNTY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE DISTRIBUTION OF CERTIFIED COPIES OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Alachua County, Florida (hereinafter, the "Board"), finds that the proper collection, disposal, recycling and management of solid waste is necessary for the health, safety, and welfare of the citizens of Alachua County, Florida; and,

WHEREAS, the Board, established the Sugarfoot Oaks/Cedar Ridge Preservation and Enhancement District, to further neighborhood preservation and revitalization; and

WHEREAS, Chapter 403, *Florida Statutes*, the Alachua County Charter, Section 125.01, *Florida Statutes*, Chapters 71 and 75, Alachua County Code, and other applicable provisions of law authorize the imposition of a non-ad valorem assessment against improved properties within the boundaries of Alachua County for collection, disposal, recycling and management of solid waste and for community maintenance in the Sugarfoot Oaks/Cedar Ridge Preservation and Enhancement District; and,



Attest: I, the Clerk of the Board of County Commissioners of Alachua County, Florida, do hereby certify that the foregoing is a true and correct copy of the Resolution of the Board of County Commissioners of Alachua County, Florida, adopted on the 17th day of October, 2014.
I, _____
Clerk of the Board of County Commissioners of Alachua County, Florida

WHEREAS, pursuant to Section 197.3632(3)(a), *Florida Statutes*, Alachua County intends to impose non-ad valorem assessments against improved properties within the boundaries of Alachua County for collection, disposal, recycling and management of solid waste and for community maintenance in the Sugarfoot Oaks/Cedar Ridge Preservation and Enhancement District; and,

WHEREAS, Alachua County intends to use the uniform method of collecting such assessments; and,

WHEREAS, Alachua County has, pursuant to Section 197.3632(3)(a), *Florida Statutes*, published notice of its intent to utilize the uniform method of collecting non-ad valorem assessments for the 2015-16 fiscal year; has attached the proof of publication as Exhibit "A"; and has held a duly advertised public hearing prior to the adoption of this resolution.

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

1. That, for the 2015-16 fiscal year and on the tax statement mailed out during such fiscal year, the County intends to use the uniform method of collecting non-ad valorem assessments authorized by Section 197.3632, *Florida Statutes*, for the provision of collection, disposal, recycling and management of solid waste and for community maintenance in the Sugarfoot Oaks/Cedar Ridge Preservation and Enhancement District. Such non-ad valorem assessments shall be levied against Commercial, Institutional, Industrial and Residential Property throughout the incorporated and unincorporated areas of Alachua County. Legal descriptions of the areas subject to the assessments is attached hereto as Exhibit "B" and incorporated herein by reference, and geographic depictions of the areas are attached hereto as

Exhibit "C" and incorporated herein by reference.

2. That the County hereby determines that the levy of the assessments is needed to fund the cost of collection, disposal, recycling and management of solid waste and to fund the cost of community maintenance within the non-ad valorem assessment areas.

3. That, upon adoption of this resolution, the County Manager is hereby directed to transmit a certified copy of this resolution by United States mail to the State of Florida Department of Revenue, the Alachua County Tax Collector, and the Alachua County Property Appraiser on or before January 10, 2015.

4. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED in regular session, this 9th day of December, A.D., 2014.

BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA

By: Charles S. Chestnut, IV
Charles S. Chestnut, IV, Chair
Board of County Commissioners

ATTEST:

J. K. Irby, Clerk
J. K. Irby, Clerk

(SEAL)

APPROVED AS TO FORM

Alachua County Attorney
Alachua County Attorney

EXHIBIT A
Proof of Publication



STATE OF FLORIDA
COUNTY OF ALACHUA

Published Daily and Sunday
Gainesville, Florida

Before the undersigned authority personally appeared Eryka Rollins

Who on oath says that he/she is Advertising Account Manager of THE
GAINESVILLE SUN, a daily newspaper published in Gainesville in Alachua County, Florida, that the
attached copy of advertisement, being a Notice of Intent

In the matter of Uniform Method of Collecting Non-Ad Valorem Assessments

In the Alachua County Administration Building, Room 209, was published in said
newspaper in the issue of, November 12, 2014.

Affiant further says that THE GAINESVILLE SUN is a newspaper published at Gainesville, in said
Alachua County, Florida and that the said newspaper has heretofore been continuously published in said
Alachua County, each day, and has been entered as second class mail matter at the post office in
Gainesville, in said Alachua County, Florida, for a period of one year next preceding the first publication
of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any
person, firm or corporation any discount for publication in said newspaper.

Sworn to and subscribed before me this
3rd Day of December A.D. 2014

[Signature]
(Seal) Notary Public

[Signature]



Warlords lord over cities in rebel-held Ukraine



The Associated Press
PERR VALLS, Ukraine
— "I don't call Nikolai
Kozachenko 'boss' or
anything. In this rebel-held
eastern Ukrainian town,
the militia member Kozack
and his crew are the boss
and they lord over the town
as if by the book.

President Ukraine's
depicted himself as the
in the east—in the breast
of a presidential spokesman
in a press conference. He
said he would not allow
anyone to take over the
eastern Ukrainian town.
The militia member Kozack
and his crew are the boss
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eastern Ukrainian town.
The militia member Kozack
and his crew are the boss
and they lord over the town
as if by the book.

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

The Board of County Commissioners of Alachua County, Florida, hereby provides notice pursuant to Section 187.352(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem assessments to be levied throughout Alachua County. The non-ad valorem assessments will be used to fund all or a portion of the cost of collection, disposal, recycling and management of solid waste in the incorporated and unincorporated areas of Alachua County and for community maintenance in the Sugarfoot Oaks/Cedar Ridge Preservation and Enhancement District for the County's 2015-16 fiscal year.

The Board will consider the adoption of a resolution electing to use the uniform method of collecting non-ad valorem assessments authorized by Section 187.352, Florida Statutes, at a public hearing to be held in Room 209 of the Alachua County Administration Building, 12 South East 1st Street, Gainesville, Florida 32601, on Tuesday, the 19th day of December, A.D., 2014, at 5:00 o'clock p.m., or as soon thereafter as the matter may be heard. 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 the resolution that contains the legal description of the real property subject to the levy are available at the Office of the County Commissioners, second floor, Alachua County Administration Building, 12 South East 1st Street, Gainesville, Florida 32601. All interested persons are invited to attend and be heard.

All persons are advised that, if they decide to contest any decision made at this public hearing, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, if persons need any accommodations or an interpreter to participate in this proceeding, please contact the Alachua County Equal Opportunity Office at 352/374-5275 (voice) or 352/374-5284 (TDD), at least three days prior to the date of the hearing.

Hehail Kozachyn, the leader of the so-called Great Don Army, speaks to Perevalsk, Eastern Ukraine, on Nov. 5.

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STATE OF FLORIDA
COUNTY OF ALACHUA

Published Daily and Sunday
Gainesville, Florida

Before the undersigned authority personally appeared Eryka Rollins

Who on oath says that he/she is Advertising Account Manager of THE

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In the matter of Uniform Method of Collecting Non-Ad Valorem Assessments

In the Alachua County Administration Building, Room 209, was published in said
newspaper in the issue of, November 19, 2014.

Affiant further says that THE GAINESVILLE SUN is a newspaper published at Gainesville, in said
Alachua County, Florida and that the said newspaper has heretofore been continuously published in said
Alachua County, each day, and has been entered as second class mail matter at the post office in
Gainesville, in said Alachua County, Florida, for a period of one year next preceding the first publication
of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any
person, firm or corporation any discount for publication in said newspaper.

Sworn to and subscribed before me this
3rd Day of December A.D. 2014.

(Seal) Notary Public



Court allows more gay marriages



THE ASSOCIATED PRESS

cheer as about 20 couples marry in a same-sex marriage ceremony on the steps of the Historic Sedgwick County Courthouse in Wichita, Kan., on Monday.

Over-courts judges stop them if they give same-sex marriage licenses. It's another step in that direction toward marriage equality," said Johnson. Kansas Supreme Court held its hold on same-sex marriage in Johnson County, home to affluent City suburbs. The edge of its district authorized such marriages last month after Supreme Court refused to hear cases. Three federal appeals courts had overruled gay marriage bans. It then went to stop the Johnson marriages. Kansas court said it would off on further of Schmidt's

petition until the U.S. Supreme Court resolves the issue. But the Kansas court also said Johnson County District Judge Kevin Moriarty "was within his jurisdiction" to consider federal court decisions striking down gay-marriage bans in other states. In its order signed by Chief Justice Lawton Nuss, the Kansas court also said there's no reason to keep the hold on same-sex marriage licenses in place in Johnson County when the U.S. Supreme Court has authorized them elsewhere in the state. Schmidt, recently re-elected by a 2-to-1 margin, has said he's obligated to defend the gay-marriage ban as long as possible because voters

overwhelmingly approved adding the policy to the state constitution in 2005. The attorney general also has said the U.S. Supreme Court order in the ACLU lawsuit applies only in Douglas County in northeast Kansas and Sedgwick County, home to Wichita in south-central Kansas, because no other court clerks were defendants. The ACLU contends the order applies statewide. The Kansas court said the U.S. Supreme Court decision "is not as localized as the State argues" but declined to spell out its scope. The court also refused to set a single rule for all counties in handling marriage licenses for same-sex couples, saying state courts don't issue advisory opinions.

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

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The Board will consider the adoption of a resolution electing to use the uniform method of collecting non-ad valorem assessments authorized by Section 197.3632, Florida Statutes, at a public hearing to be held in Room 209 of the Alachua County Administration Building, 12 South East 1st Street, Gainesville, Florida 32601, on Tuesday, the 9th day of December, A.D., 2014, at 5:00 o'clock p.m., or as soon thereafter as the matter may be heard. 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 the resolution that contains the legal description of the real property subject to the levy are available at the Office of the County Commissioners, second floor, Alachua County Administration Building, 12 South East 1st Street, Gainesville, Florida 32601. All interested persons are invited to attend and be heard.

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IMPLANT DENTISTRY

If you wear a full or partial denture, you should consider dental implants to improve your ability to chew properly for your health.

Over 20 years experience placing & restoring implants.

William K. Van Dyke D.M.D.
(352) 377-1781

EXHIBIT B
Legal Description

**LEGAL DESCRIPTION OF THE AREA SUBJECT TO
SOLID WASTE NON-AD VALOREM ASSESSMENTS**

Alachua County.--The boundary lines of Alachua County are as follows: Begin where the range line between ranges sixteen and seventeen east intersects the thread of the Santa Fe River; thence run south on said range line to the southwest corner of section seven, township eleven south, range seventeen east; thence run east along the south line of sections seven, eight, nine, ten, eleven and twelve to the northwest corner of section eighteen, township eleven south, range eighteen east; thence run south along the west line of sections eighteen, nineteen, thirty and thirty-one, township eleven south, range eighteen east to southwest corner of said section thirty-one; thence run east along south line of sections thirty-one, thirty-two, thirty-three and thirty-four to southeast corner of section thirty-four, township eleven south, range eighteen east outside of Arredonda Grant; thence run north along east line of said section thirty-four to southwest corner of section thirty-four, township eleven south, range eighteen east inside said grant; thence run east along the township line between townships eleven and twelve, south, to its intersection with the west margin of Orange Lake; thence following the western and southern margin of Orange Lake to its intersection with the range line between range twenty-two and twenty-three east; thence run north along said range line to where same is intersected by the north and east margin of Santa Fe Lake; thence run north following the east margin of said Santa Fe Lake to its westernmost intersection with a line which is the prolongation of the north line of McManus Subdivision as per plat book "A", page 117 of the public records of Alachua County; thence west along the north line of said subdivision to its intersection with the east line of government lot three of section twenty-one, township eight south, range twenty-two east; thence north along said east line to the southeast corner of the southwest quarter of the northwest quarter of said section twenty-one; thence north

along the line between the east half and the west half of the northwest quarter of said section twenty-one to the north line of said section twenty-one; thence west along the north line of said section twenty-one to the southeast corner of section seventeen, township eight south, range twenty-two east; thence west to the southwest corner of the southeast quarter of the southeast quarter of said section seventeen; thence north to the southeast corner of the southwest quarter of the northeast quarter of said section seventeen; thence west to the southwest corner of the east half of the southwest quarter of the northeast quarter of said section seventeen; thence north to the northwest corner of the east half of the southwest quarter of the northeast quarter of said section seventeen; thence west to the southwest corner of the northwest quarter of the northeast quarter of said section seventeen; thence north to the half-mile corner of the south line of section eight, township eight south, range twenty-two east; thence west to the southwest corner of the east half of the southeast quarter of the southwest quarter of said section eight; thence north to the northwest corner of the east half of the northeast quarter of the northwest quarter of said section eight; thence north to the northeast corner of the west half of the southeast quarter of the southwest quarter of section five, township eight south, range twenty-two east; thence west to the northwest corner of the southwest quarter of the southwest quarter of said section five; thence north along the west line of said section five to the northeast corner of the southeast quarter of the northeast quarter of section six, township eight south, range twenty-two east; thence west to the southwest corner of the northeast quarter of the northeast quarter of said section six; thence north to the northwest corner of the northeast quarter of the northeast quarter of said section six; thence west along the north line of said section six to the northwest corner of said section six; thence north

along the east line of section one, township eight south, range twenty-one east to the southeast corner of section thirty-six, township seven south, range twenty-one east; thence north along the east line of said section thirty-six to the northeast corner of the southeast quarter of the southeast quarter of said section thirty-six; thence west to the northwest corner of the southwest quarter of the southwest quarter of said section thirty-six; thence north along the west line of said section thirty-six to its intersection with the thread of the Santa Fe River; thence northerly and westerly along the thread of the Santa Fe River to its intersection with the east line of the southwest quarter of the northwest quarter of section thirty-three, township seven south, range twenty-one east; thence north to the northeast corner of the southwest quarter of the northwest quarter of said section thirty-three; thence west to the northeast corner of the southeast quarter of the northeast quarter of section thirty-two, township seven south, range twenty-one east; thence west to the northwest corner of the southwest quarter of the northwest quarter of said section thirty-two; thence west to the southwest corner of the northeast quarter of the northeast quarter of section thirty-one, township seven south, range twenty-one east; thence north to the northwest corner of the northeast quarter of the northeast quarter of said section thirty-one; thence west to the half-mile corner of the south line of section thirty, township seven south, range twenty-one east; thence north on the quarter section line of said section thirty to its intersection with the thread of the Santa Fe River; thence southerly and westerly along the thread of said Santa Fe River to its intersection with the south line of the southwest quarter of the northeast quarter of section twenty-eight, township seven south, range twenty east; thence west to the southwest corner of the northeast quarter of said section twenty-eight; thence north to the northwest corner of the northeast quarter of said section twenty-eight; thence west to the northwest corner of said section twenty-eight; thence north along the east line of section twenty, township seven

south, range twenty east to the southeast corner of the northeast quarter of said section twenty; thence west on the quarter section line of said section twenty to its intersection with the thread of the Santa Fe River; thence northerly and westerly along the thread of the Santa Fe River to its southernmost intersection with the east line of section two, township seven south, range seventeen east; thence run south along the east line of said section two to the northeast corner of section eleven, township seven south, range seventeen east; thence run south along the east line of said section eleven to the northeast corner of government lot four in said section eleven; thence run west to the northwest corner of said government lot four; thence run south along west line of said government lot four to the southwest corner of said government lot four; thence run west along the south line of said section eleven to the northwest corner of section fourteen, township seven south, range seventeen east; thence run south along the west line of said section fourteen to the southwest corner of said section fourteen; thence run east along south line of said section fourteen to its intersection with the thread of the Santa Fe River; thence run southerly and westerly along the thread of said river to the point of beginning.

**DESCRIPTION OF THE SUGARFOOT OAKS/CEDAR RIDGE PRESERVATION AND
ENHANCEMENT DISTRICT**

The Boundary of the District includes all of the lots and Streets within the following recorded subdivisions:

- Sugarfoot Oaks,
as per plat recorded in Plat Book "J" page 66; and
- Cedar Ridge,
as per plat recorded in Plat Book "K" page 08; and
- Sugarfoot Oaks Unit No.2,
as per plat recorded in Plat Book "K" page 32; and
- Cedar Ridge Addition 1,
as per plat recorded in Plat Book "K" page 80; and
- Cedar Ridge Addition 1 Replat
as per plat recorded in Plat Book "L" page 83; and
- Sugarlane,
as per plat recorded in Plat Book "K" page 84; and
- Sugarfoot Oaks Unit No.3,
as per plat recorded in Plat Book "K" page 91; and
- Sugarlane Replat,
as per plat recorded in Plat Book "L" page 80; and
- Sugarlane Replat No.2,
as per plat recorded in Plat Book "M" page 09; and
- Cedar Ridge Villas,
as per plat recorded in Plat Book "M" page 19;

As of the Public Records of Alachua County, Florida.

Containing approximately 72.711 acres.

EXHIBIT C
Geographic Depiction



