

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

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

38 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
39 **CITY OF GAINESVILLE, FLORIDA:**

40 **Section 1.** Subject to the conditions provided in this ordinance, the City Commission of
41 the City of Gainesville, as the City's governing body, consents to the inclusion of the City in a
42 non-ad valorem special assessment for the municipal service benefit unit as stated in Alachua
43 County Resolution No. 11-141, adopted on December 13, 2011, a copy of which is attached as
44 Exhibit "A." This consent is given only as to an assessment to fund the Waste Alternatives
45 Program, the Environmental Protection program, an approximate, not to exceed, amount of 36%
46 of the Rural Collection Centers Program and Solid Waste Facilities Cost as defined in Alachua
47 County Resolution No. 11-141, and does not apply to assessments to fund the collection,
48 disposal or recycling costs other than specifically provided herein.

49 **Section 2.** This consent is granted subject to the following conditions: 1) the total
50 assessment in both the incorporated and unincorporated areas of the county does not exceed the
51 maximum amount to be collected from the assessment which is printed on the first class notice
52 distributed by Alachua County; 2) all residences in the mandatory collection area of the
53 unincorporated area and incorporated areas of the county are assessed equally; 3) all non-

54 residential property in the unincorporated area and incorporated areas of the county are assessed
55 an amount based on factors other than their location in an incorporated or unincorporated area;
56 and 4) that the benefit of the programs provided for by this assessment equals or exceeds the
57 amount assessed.

58 **Section 3.** This consent is granted only for the assessments: (1) billed in November
59 2012, for services rendered from October 1, 2012 to September 30, 2013; (2) billed in November
60 2013, for services rendered from October 1, 2013 to September 30, 2014; (3) billed in November
61 2014, for services rendered from October 1, 2014 to September 30, 2015; and, further provided
62 the County first adopts a Resolution, when appropriate, authorizing the collection of non-ad
63 valorem assessments for solid waste services for Fiscal Years 2012-2013; 2013-2014 and 2014-
64 2015.

65 **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be
66 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no
67 way affect the validity of the remaining portions of this ordinance.

68

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

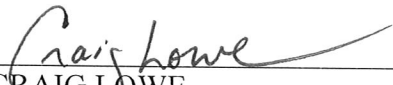
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72 **Section 6.** This ordinance shall take effect immediately upon adoption.

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74 PASSED AND ADOPTED this 2nd day of August, 2012.

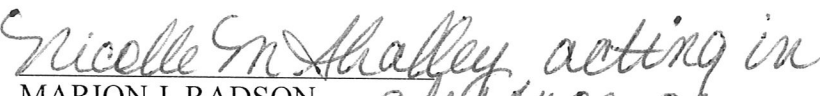
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CRAIG LOWE
MAYOR

ATTEST:

Approved as to form and legality

82
83 
84 KURT M. LANNON
85 CLERK OF THE COMMISSION

 acting in
MARION J. RADSON
CITY ATTORNEY
*absence of
Marion Radson*

86
87

88 This Ordinance passed on first reading this 19th day of July, 2012.

89 This Ordinance passed on second reading this 2nd day of August, 2012.

RESOLUTION 11-141

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,

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 2012-13 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 2012-13 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, 2012.

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

DULY ADOPTED in regular session, this 13 day of December, A.D., 2011.

**BOARD OF COUNTY COMMISSIONERS OF
ALACHUA COUNTY, FLORIDA**

By: Paula M. DeLaney
Paula M. DeLaney, Chair
Board of County Commissioners

ATTEST:

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

(SEAL)

APPROVED AS TO FORM

Alachua County Attorney

EXHIBIT A
Proof of Publication

AFFIDAVIT OF PUBLICATION

The Gainesville Sun
Published - Daily
Gainesville, Alachua County, Florida

STATE OF FLORIDA
COUNTY OF ALACHUA

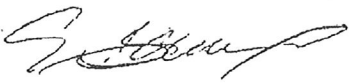
Before the undersigned, a Notary Public of Said County and State, Ernest Blake, III, who on oath says that he is Legal Advertising Coordinator of THE GAINESVILLE SUN, a daily newspaper published at Gainesville, in Alachua County, Florida; that the attached copy of advertisement, being a notice in the matter of

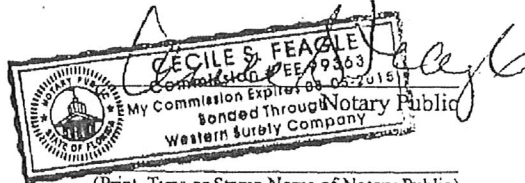
NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS The Board of County Commissioners of Alachua County, Florida, hereby provides notice pursuant to Section 197.36323a, Florida Statutes, of its intent to use the uniform meth

was published in said newspaper in the issues of:

11/16 1x, 11/23 1x, 11/30 1x, 12/7 1x

Affiant further says that the said THE GAINESVILLE SUN is a daily newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, Florida, daily, 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, rebate, commission or refund for the person of securing this advertisement for publication in the said newspaper.


Sworn to and subscribed before me this 17 day of Nov, A.D., 2011



(Print, Type or Stamp Name of Notary Public)

My commission expires 5 day of Aug, 2015

Ad #: A000720478

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

