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CITY OF GAINESVILLE
Office of the City Attorney

Memorandum

Phone: 334-5011/Fax 334-2229

TO: Mayor and City Commissioners

DATE: June 3, 2010

FROM: City Attorney

RESOLUTION

SUBJECT: A resolution of the City of Gainesville, Florida, relating to the provision of fire services, facilities and programs in the City of Gainesville, Florida; describing the method of assessing fire services assessed costs against assessed property located within the City of Gainesville; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice; providing for severability and providing an immediate effective date.

Recommendation: The City Commission: 1) establish an Initial Rate for the Fire Services Special Assessment; 2) set a date for a public hearing on a Final Rate Resolution; and 3) adopt the proposed resolution.

On June 9, 2008, the City Commission adopted Ordinance 070623 which establishes the authority to implement a Fire Services Special Assessment if the Commission chooses to do so.

On May 24, 2010, the Commission authorized the drafting of an Initial Rate Resolution, which if adopted, would establish Initial Rates for the Fire Services Special Assessment and provide for notice to affected property owners of the proposed rates. The Initial Rate Resolution also provides for notice of a public hearing on a Final Rate Resolution to be held on dates as set forth in the Resolution.

In adopting the Initial Rate Resolution the Commission will have to determine the Initial Rate to be sent in the notice to affected property owners. (See for example page 24 of the Resolution.) The Initial Rate can be anywhere from 100% or less. It must be noted, however, that while the Initial Rate can change at the final hearing, it cannot be increased, but can only be adjusted downward. In other words, if the Commission establishes the Initial Rate at 75% and notices that as the Initial Rate, at the Final Hearing the 75% Assessment can decrease, but it cannot go above the 75% rate.

Prepared by:



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Approved and
Submitted by:



Marion J. Radson
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