

RESOLUTION NO. 11-2007

A RESOLUTION OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY FLORIDA; PROVIDING FOR AN INTENT TO ADOPT A SPECIAL ASSESSMENT FOR FIRE SERVICES IN THE FISCAL YEAR 2007-2008; PROVIDING FOR AN INTENT TO ADOPT THE CURRENT BREVARD COUNTY FIRE SERVICE SPECIAL ASSESSMENT; PROVIDING AN INTENT TO UTILIZE THE UNIFORM METHOD OF LEVY OF NON-AD VALOREM ASSESSMENTS; PROVIDING FOR A NEED TO LEVY; PROVIDING FOR A LEGAL DESCRIPTION; PROVIDING FOR A REPEAL, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Brevard County Board of County Commissioners currently provides fire services to the Town of Grant-Valkaria; and

WHEREAS, in the past, the County provided this service through funding provided solely through an Ad Valorem (MSTU); and

WHEREAS, the Brevard County Board of County Commissioners currently provides fire service operations through both the funding source of an Ad Valorem, Fire Municipal Services Taxing Unit (MSTU) and a Fire Services Special Assessment; and

WHEREAS, the Brevard County Board of County Commissioners has the authority to impose such a special assessment for fire service operations; and

WHEREAS, the Brevard County Board of County Commissioner has the authority under Florida Statute 197.3632 to utilize the Uniform Method for collecting special non-ad valorem assessments; and

WHEREAS, prior to incorporation of the Town, the County properly advertised and noticed the Fire Services Special Assessment pursuant to Florida Statutes 197.3632(3)(a) to include the entire area now contained within the incorporated boundaries of the Town; and

WHEREAS, the County levied the Fire Services Special Assessment upon owners of improved property within the Town in Fiscal Year 2006-2007 and provided fire services to the Town; and

WHEREAS, the Town desires to continue to receive fire services and maintain this relationship with the County; and

WHEREAS, the Town desires to express its intent to authorize a special assessment for fire services through and under the County's current non-ad valorem assessment known as the "Fire Service Special Assessment".

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Grant-Valkaria, as follows:

SECTION 1. Fire Service Funding:

- 1.01: It is the intent of the Town Council to continue to participate in and expressly authorize the County's non-ad valorem assessment to fund the Fire Service Program for the Town effective fiscal year 2007/2008, under and through the County's current non-ad valorem assessment known as the "Fire Service Special Assessment".
- 1.02: The cost of the Fire Service Program is defined as the amount of revenue needed to fully fund the: 911 response of fire engines to emergencies, the Fire Prevention Bureau, and associated direct and indirect cost incurred for in support of those programs.
- 1.03: The Town of Grant-Valkaria authorizes the County to include the properties within the Town of Grant-Valkaria in the Fire Control Special Assessment under the same rate schedule as properties in the unincorporated area of the County, and to utilize the Uniform Method, as provided under Florida Statutes 197.3632, to collect the revenue to fund the Fire Service program as noted in Section 1.02 above and it is the intent of the Town that this non-ad valorem assessment shall be known as the "Brevard County Fire Service Special Assessment".
- 1.04: It is the intent of the Town of Grant-Valkaria that, upon enactment, the "Fire Service Special Assessment" shall continue each year until discontinued by either the Town of Grant-Valkaria and/or the Brevard County Board of County Commissioners.

SECTION 2. Need for the Levy:

The Fire Services Special Assessment will be levied to pay for all and/or a portion of the cost to the County for making fire services available in the areas covered in Section 3 of this Resolution.

SECTION 3. Legal Description:

It is the intent of the Town Council that the Boundary for this Fire Service Assessment Fee will be all of the area described as the entire incorporation of Grant-Valkaria, Brevard County, Florida.

SECTION 4. Repeal:

That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5. Severability:

That it is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause,

sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Resolution.

SECTION 6. Effective date:

This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF TOWN OF GRANT-
VALKARIA, BREVARD COUNTY, FLORIDA, THIS 5th _ DAY OF SEPTEMBER, 2007.

By: (Signature on file)

Del Yonts, Mayor

ATTEST:

By: (Signature on file)

Susanne Krueger, Town Clerk