

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Authorization to schedule and advertise a Public Hearing to Amend to the Seminole County Fire Service MSTU Ordinance to include the City of Winter Springs

DEPARTMENT: Fiscal Services

DIVISION: Administration - Fiscal Services

AUTHORIZED BY: Lisa Spriggs

CONTACT: Cecilia Monti

EXT: 7175

MOTION/RECOMMENDATION:

Authorize staff to schedule and advertise a public hearing to amend to the Seminole County Fire Service Municipal Service Taxing Unit ordinance, Section 160.12 to include the City of Winter Springs

County-wide

Lisa Spriggs

BACKGROUND:

On June 24, 2008, the Seminole County Board of County Commissioners approved an interlocal agreement consolidating the City of Winter Springs and Seminole County Fire and Emergency Medical Services under the authority of Seminole County. This agreement requires an amendment to Section 160.12 of the Seminole County Fire Service MSTU ordinance expanding the current district boundaries to include Winter Springs. Approval is requested to schedule and advertise a public hearing to be held on August 25, 2009 to expand the Seminole County/Municipal Fire District to include the City of Winter Springs.

STAFF RECOMMENDATION:

Staff recommends that the Board authorize staff to schedule and advertise a public hearing to amend Section 160.12, Seminole County Fire Service Municipal Service Taxing Unit ordinance to include the City of Winter Springs.

ATTACHMENTS:

1. Advertisement Notice
2. Ordinance
3. Economic Impact Statement

<p>Additionally Reviewed By:</p> <p><input checked="" type="checkbox"/> County Attorney Review (Ann Colby)</p>

NOTICE

NOTICE is hereby given that the Board of County Commissioners of Seminole County, Florida, intends to hold a public hearing to consider the enactment of an ordinance entitled:

AN ORDINANCE OF SEMINOLE COUNTY, FLORIDA AMENDING CHAPTER 160, PART I, ARTICLE II, SECTION 160.12, SEMINOLE COUNTY CODE; PROVIDING FOR THE EXPANSION OF THE SEMINOLE COUNTY FIRE UNIT MUNICIPAL SERVICES TAXING UNIT TO INCLUDE THE ENTIRE INCORPORATED AREA OF THE CITY OF WINTER SPRINGS; PROVIDING THAT THE ANNUAL MILLAGE SHALL BE WITHIN THE STATUTORY CAP WITH RESPECT TO THE CITY OF WINTER SPRINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

at _____ p.m. or as soon thereafter as possible, at its regular meeting on _____, 20____, at the Seminole County Services Building, 1101 East First Street, Board of County Commissioners Chambers, Sanford, Florida. The proposed ordinance may be inspected by the public at the office of the Clerk of the Board of County Commissioners, Room 2204, Seminole County Services Building. Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. Persons are advised that, if they decide to appeal any decision made at this hearing, they will need a record of the proceedings, and, for such purpose, they may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

For additional information regarding this notice contact Cecilia Monti, (407) 665-7175.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Human Resources Department ADA Coordinator 48 hours in advance of the meeting at 407-665-7941.

Publish: _____

Contact Person, Invoice and
Proof of Publication to:

Cecilia Monti, Fiscal Manager I
Fiscal Services Department
1101 E. First Street
Sanford, FL 32771

ORDINANCE

AN ORDINANCE OF SEMINOLE COUNTY, FLORIDA AMENDING CHAPTER 160, PART I, ARTICLE II, SECTION 160.12, SEMINOLE COUNTY CODE; PROVIDING FOR THE EXPANSION OF THE SEMINOLE COUNTY FIRE UNIT MUNICIPAL SERVICES TAXING UNIT TO INCLUDE THE ENTIRE INCORPORATED AREA OF THE CITY OF WINTER SPRINGS; PROVIDING THAT THE ANNUAL MILLAGE SHALL BE WITHIN THE STATUTORY CAP WITH RESPECT TO THE CITY OF WINTER SPRINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 125.0101, Florida Statutes authorizes Seminole County to contract with a municipality for the provision of essential public services including fire protection; and

WHEREAS, Section 160.12 of the Seminole County Code specifically envisions and authorizes the extension of the Seminole County Fire Unit Municipal Service Taxing Unit (the "Seminole County Fire Unit") to areas within an incorporated municipality through adoption of a special mutual aid agreement; and

WHEREAS, Seminole County (the "County") and the City of Winter Springs (the "City") have heretofore entered into an Interlocal Agreement on October 2, 2008 (the "Agreement") for the County to take over and provide fire and emergency medical services to the City; and

WHEREAS, Section 4.3.1 of the Agreement envisions the expansion of the County's Fire Unit MSTU for the provision of fire and emergency medical services to the City and that the millage therefore, will be included within the City's statutory millage cap; and

WHEREAS, the City has heretofore enacted its Ordinance consenting to the expansion of the Seminole County Fire Unit to include all of the incorporated area of the City in accordance with Section 125.01(q), Florida Statutes; and

WHEREAS, the County hereby finds and declares that expansion and utilization of the Seminole County Fire Unit is the most appropriate and cost effective method to facilitate the assumption of such fire and emergency medical services as were previously performed by the City,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Section 160.12 of the Seminole County Code is hereby amended to read as follows:

Sec. 160.12 Established.

(a) There is hereby established a municipal service taxing unit encompassing all the territories of the County other than those territories which are now, or may hereafter be, either within the corporate limits of any municipality, or agriculturally assessed for ad valorem taxation purposes. Said Fire Unit is established for the purpose of providing fire protection and prevention, and rescue/emergency medical services for all inhabitants, properties and land within the described territories, or such other territories as may be included by special mutual aid agreement. Said protection and prevention is hereby declared to be a service of the kind or type commonly provided by municipalities.

(b) The Seminole County Fire Unit shall also include the entire incorporated area of the City of Altamonte Springs, Florida. The millage to be levied shall be set annually by the Board of County Commissioners sitting as the governing board of the Seminole County Fire Unit and shall, with respect to the City, be included within the City's statutory cap millage.

(c) The Seminole County Fire Unit shall also include the entire incorporated area of the City of Winter Springs, Florida. The millage to be levied shall be set annually by the Board of County Commissioners sitting as the governing board of the Seminole County Fire Unit and shall, with respect to the City, be included within the City's statutory cap millage.

Section 3. Codification.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become, and be made a part of the Seminole County Code. The word "Ordinance" may be changed to section, article, or other appropriate word or phrase and the sections of this

Ordinance may be assigned new numbering or lettering to accomplish such intention; providing, however, that Sections 2, 3, and 4 shall not be codified.

Section 4. Severability.

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

Section 5. Effective Date.

This Ordinance shall become effective upon the filing of a certified copy thereof with the Florida Department of State.

ENACTED this _____ day of _____, 2009.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA**

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

BOB DALLARI, Chairman

Not For Execution

AEC/lpk
6/24/09

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ECONOMIC IMPACT STATEMENT

DATE: August 3, 2009

DEPT./DIVISION: Fiscal Services/
Administration

CONTACT PERSON: Lisa Spriggs

EXTENSION: 7176

DESCRIBE PROJECT/PROPOSAL:

Amendment to the Seminole County Fire Municipal Service Taxing Unit (MSTU) ordinance, Section 160.12 to include the City of Winter Springs

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT/ PROPOSAL UPON THE OPERATION OF THE COUNTY:

Fire and emergency medical services as well as the costs for the services are expanded to include all of the incorporated area of Winter Springs. 50 additional staff members were added to County employment in FY 2008/09 along with supporting expenditures

The levy assessed for the MSTU generates approximately \$4.5M based on the 2008 taxable value of real and personal property in the City of Winter Springs.

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT/ PROPOSAL UPON THE PROPERTY OWNERS/TAX PAYERS/CITIZENS WHO ARE EXPECTED TO BE AFFECTED:

The citizens of the City of Winter Springs will be provided with cost effective, proficient fire and emergency services. The properties within the City will be levied the millage rate established for the Seminole County Municipal Fire District MSTU, as approved by the Board of County Commissioners. For the current fiscal year, that millage rate is 2.3299 or \$184 for the average single family residential homesteaded property valued at \$129,000.

IDENTIFY ANY POTENTIAL INDIRECT ECONOMIC IMPACTS, POSITIVE OR NEGATIVE WHICH MIGHT OCCUR AS A RESULT OF THE PROJECT PROPOSAL:

Long-term impacts should be positive for the city and the County since the merging of services is the most appropriate and cost effective method of facilitating activities previously performed by both entities.