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RESOLUTION NO. 2003- 100

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF SARASOTA COUNTY, FLORIDA**
CLERK OF COUNTY COMMISSIONERS
SARASOTA COUNTY, FL

**RE: Public- Initiated Petition Process
To Create Waterways Maintenance Project Units
As Non-Ad Valorem Assessment Districts**

WHEREAS, pursuant to Article XXX, Chapter 54 of the Sarasota County Code (the "Code"), the Board of County Commissioners (the "Board") has established the Navigable Waterways Maintenance Management Program to enhance the availability and use of the navigable waterways within the unincorporated County, to increase boater safety, to improve access to the Intracoastal Waterway from waterfront property, to provide opportunities to enhance the natural environment and improve the quality of life in Sarasota County and to enhance the use and enjoyment of properties within the Navigable Waterways Maintenance Management Municipal Services Taxing Unit (the "Navigable Waterways Maintenance Management MSTU"); and

WHEREAS, Section 54-952(b) of the Code provides that the Board is authorized to create smaller geographic units within the Navigable Waterways Maintenance Management MSTU, known as "Project Units" to provide funds for maintenance dredging services and improvements to localized areas within the Navigable Waterways Maintenance Management MSTU and is further authorized to adopt by resolution procedures for a public-initiated petition process for the creation of Project Units as non-ad valorem assessment districts to fund the maintenance dredging services within the geographic boundaries of the Project Units; and

WHEREAS, the Board has determined that a public-initiated petition process for the formation of Project Units provides affected property owners the opportunity to determine the need for waterways maintenance in their specific geographic area.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sarasota County, Florida, in public meeting duly assembled, that:

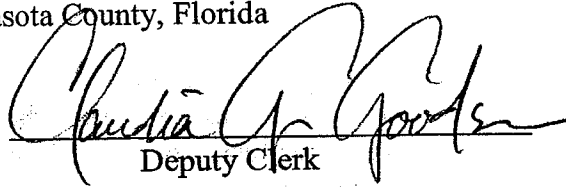
1. The Public-Initiated Petition Process for the Creation of Waterways Maintenance Project Units as Non-Ad Valorem Assessment Districts, attached hereto as Attachment "A", is hereby adopted.
2. This resolution shall become effective concurrently with the effective date of Ordinance No. 2003-042.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY
COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this 22nd day of
APRIL, 2003.

ATTEST:

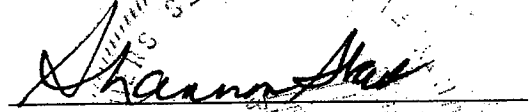
KAREN E. RUSHING, Clerk of the
Circuit Court and Ex-Officio Clerk of the
Board of County Commissioners of
Sarasota County, Florida

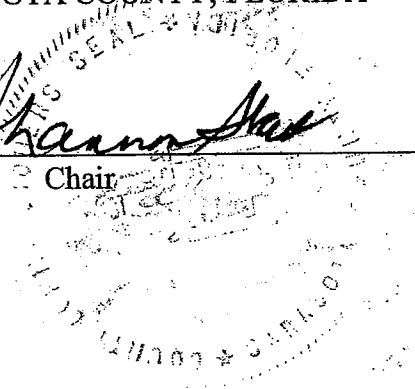
By:


Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By:


Chair



ATTACHMENT "A"

**PUBLIC INITIATED PETITION PROCESS
FOR THE CREATION OF WATERWAYS MAINTENANCE PROJECT UNITS
AS NON-AD VALOREM ASSESSMENT DISTRICTS**

1.0 Project Unit Feasibility Petition

Any owner of an Abutting Parcel located on a Program Waterway, as defined in Section 54-959 of the Sarasota County Code, may commence the petition process for a feasibility study and cost analysis of a Waterways Maintenance Project Unit pursuant to the following:

- 1.1 Upon request, County staff shall provide a Project Unit Feasibility Petition to the property owner for that person or designee to secure signatures evidencing property owner interest in creating a Waterways Maintenance Project Unit as a non-ad valorem assessment district for their Program Waterway. An "Abutting Parcel" means any property with a separate property identification number that lies adjacent to the shoreline of a specified Program Waterway.
- 1.2 For Program Waterways with greater than fifty (50) Abutting Parcels, upon request, the County shall conduct a mail survey of the Abutting Parcel property owners along that Waterway to determine the level of interest in the project.
- 1.3 A feasibility study and cost estimate will be initiated following receipt of either (a) the Project Unit Feasibility Petition signed by record property owners of at least 2/3's (67%) of the Abutting Parcels along the subject Program Waterway, or (b) signed survey cards indicating that property owners of at least 2/3's (67%) of the Abutting Parcels are in favor of proceeding with a feasibility study and cost estimate for the project. Only one property owner signature per parcel is required on either the petition or the survey card.

2.0 Feasibility Study and Cost Estimate

Upon receipt of the completed Project Unit Feasibility Petition or the requisite number of survey cards, County staff shall:

- 2.1 Review the petition or survey card signatures to determine compliance with Section 1.0 above.
- 2.2 Conduct a study of the geographic area of the requested Project Unit to determine project feasibility.

2.3 Prepare a cost estimate of the necessary initial maintenance for the proposed Project Unit.

3.0 Public Information Meeting

Upon completion of the feasibility study and cost estimate, County staff shall provide written notification to all property owners of Abutting Parcels located within the proposed Project Unit of the date, time and location of a Public Information Meeting, at which the following will be discussed:

- 3.1 Scope of the requested maintenance project
- 3.2 Estimated costs and funding mechanisms
- 3.3 Design considerations
- 3.4 Permitting options
- 3.5 Tentative project schedule
- 3.6 Creation of a Project Unit Non-Ad Valorem Assessment District

4.0 Project Unit Approval Petition

- 4.1 Following the Public Information Meeting(s), upon request, County staff shall provide to the property owners a Project Unit Approval Petition to be signed by record property owners of at least 2/3's (67%) of the Abutting Parcels and returned to the Waterways Program Manager. This Petition is a condition to the creation of the Project Unit. Only one property owner signature per parcel is required. If the requisite percentage of signatures is not obtained, the Project Unit request will not proceed to the Board of County Commissioners.
- 4.2 In order for a signature to be valid, it must be that of a record title holder to an Abutting Parcel in the proposed Project Unit, and the signature must be notarized.
- 4.3 If the Board grants the request, ALL Abutting Parcels which lie adjacent to the subject Program Waterway will be assessed ALL costs associated with the maintenance dredging project, including the feasibility study and administrative costs.