
RESOLUTION NO. 2021 – 1410

ENGLEWOOD, FLORIDA

**FY2022 ANNUAL RATE RESOLUTION
FOR THE ENGLEWOOD AREA FIRE CONTROL DISTRICT**

ADOPTED: September 13, 2021

RESOLUTION NO. 2021-1410

**FY2022 ANNUAL RATE RESOLUTION
FOR THE ENGLEWOOD AREA FIRE CONTROL DISTRICT**

A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF THE ENGLEWOOD AREA FIRE CONTROL DISTRICT, ENGLEWOOD, FLORIDA, RELATING TO THE FUNDING OF FIRE AND RESCUE SERVICES BY THE ENGLEWOOD AREA FIRE CONTROL DISTRICT; PROVIDING THE COST OF FIRE RESCUE ASSESSED COSTS; FINDING THAT CERTAIN REAL PROPERTY WILL BE SPECIALLY BENEFITED BY THE SERVICES PROVIDED BY THE DISTRICT DURING THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; CONFIRMING THE METHOD OF ASSESSING THE COST OF SERVICES AGAINST THE REAL PROPERTY THAT WILL BE SPECIALLY BENEFITED THEREBY; SPECIFYING AND IMPOSING FIRE AND RESCUE ASSESSMENTS AGAINST CERTAIN REAL PROPERTY WITHIN THE ENGLEWOOD AREA FIRE CONTROL DISTRICT; APPROVING THE FIRE AND RESCUE ASSESSMENT ROLL; PROVIDING FOR THE COLLECTION OF FIRE AND RESCUE ASSESSMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Englewood Area Fire Control District (the District), a political subdivision of the State of Florida created pursuant to special act, Chapter 2001-338, Laws of Florida is the sole provider of fire protection and first response emergency medical services for the Englewood area of Charlotte and Sarasota Counties; and

WHEREAS, the imposition of a Fire and Rescue Assessment is an equitable and efficient method of allocating and apportioning the cost of the fire and rescue services among parcels of property located within the Englewood Area Fire Control District; and

WHEREAS, the District provides the described services by the levy and collection of non-ad valorem assessments on all property within the District that is benefited by District services; and

WHEREAS, the District Board, after considerable discussion and public debate determined that the assessment rates were inadequate to continue to provide the necessary services that provided benefits and enhanced value to real property within the District; and

WHEREAS, the District Board retained the services of Government Services Group (GSG), a recognized consultant with substantial expertise in the analysis and determination of the value of benefits received by benefited real property as a result of the availability of high quality, dependable fire protection and first response medical services; and

WHEREAS, GSG prepared and submitted an analysis of the assessment rates and benefits as well as an analysis and determination of a fairly apportioned, adjusted assessment rate for all benefited properties based upon the demand for services; and

WHEREAS, GSG determined that the provision of high-quality fire service and first response medical service provides a special benefit to specified real property within the Englewood area as a result of lower insurance rates and higher property values; and

WHEREAS, notice of a public hearing has been published and mailed to each property owner proposed to be assessed notifying such property owner of the opportunity to be heard; the proof of publication and an affidavit of mailing are attached hereto as Appendices A and B respectively; and

WHEREAS, a public hearing has been duly held and comments and objections of all interested persons have been heard and considered as required by Florida Statute.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF THE ENGLEWOOD AREA FIRE CONTROL DISTRICT, ENGLEWOOD, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to Chapter 191.011, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS. This Resolution is the Annual Rate Resolution for the Englewood Area Fire Control District for FY2022. All capitalized items in this Resolution shall have the meanings defined in the Fire Rescue Assessment Program as developed by GSG and adopted by the District Board.

SECTION 3. ASSESSMENT METHODOLOGY. Assessment rates set forth herein have been calculated in accordance with the 2016 GSG methodology update utilizing current data for the Englewood Area Fire Control District as approved by the District Board and in accordance with Florida Statute 191.009(2).

SECTION 4. FIRE RESCUE ASSESSED COSTS. For the purpose of this FY2022 Annual Rate Resolution and the Fire Rescue Assessment levied pursuant to this Resolution, the Fire Rescue Assessed Cost for the fiscal year ending September 30, 2022, is a total of \$9,211,194.00. The Fire and Rescue Assessed Cost and related expenses shall be funded through the imposition of Fire and Rescue Assessments against property located in the Englewood Area Fire Control District in the manner set forth in Florida Statute 191.011 & 197.3632, and other applicable provisions of law.

SECTION 5. APPROVAL OF FIRE AND RESCUE ASSESSMENT ROLL. The FY2022 Fire and Rescue Assessment Roll, which is currently on file in the Office of the Englewood Area Fire Control District and incorporated herein by reference, is hereby confirmed and approved.

SECTION 6. FIRE AND RESCUE ASSESSMENTS.

- (A) Tax Parcels described in the FY2022 Fire and Rescue Assessment Roll are hereby found to be specially benefited by the provision of Fire and Rescue Services by the Englewood Area Fire Control District in the amount of the Fire and Rescue Assessment set forth in the Fire and Rescue Assessment Roll. Based upon the methodology for computing Fire and Rescue Assessments described in the 2016 GSG updated study, as approved the District Board, and other applicable provisions of law and this FY2022 Annual Rate Resolution,

Fire and Rescue Assessments shall be imposed at the following rates for the Fiscal Year ending September 30, 2020:

	ASSESSED COST	ASSESSMENT RATE	
Englewood Area Fire Control District	\$ 9,211,194.00		
Residential Property:		\$ 202.25 per unit	
+Non-Residential Property: (Commercial, Institutional, Nursing Home, Industrial/Warehouse, Hotel/Motel/RV Parks)		\$ 0.29 per sq. ft.	
Church Property:		\$ 0.20 per sq. ft.	
Vacant Lot Property:		\$ 54.47 per lot	

(B) Fire and Rescue Assessments, as identified above and in the amounts set forth in the FY2022 Fire and Rescue Assessment Roll, are hereby levied and imposed on all Tax Parcels described in the Fire and Rescue Assessment Roll. Such Fire and Rescue Assessments shall constitute a lien upon the Tax Parcel so assessed from the date of adoption of this FY2022 Annual Rate Resolution for the Englewood Area Fire Control District equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien for Fire and Rescue Assessments shall be deemed to be perfected upon adoption by the Board of this FY2022 Annual Rate Resolution. Upon perfection, the lien for such Fire and Rescue Assessments collected under the Uniform Assessment Collection Act shall attach to the property included on the roll as of the prior January 1, the lien date for ad valorem taxes. The Fire and Rescue Assessments imposed pursuant to this Resolution may, in subsequent years, be imposed by Annual Rate Resolution in accordance with Florida Statute 191.011, and other applicable provisions of law.

(C) In accordance to the provisions of the law, there are no exemptions to non-ad valorem assessments. All property contained within the Englewood Area Fire Control District shall be assessed the Fire and Rescue Assessment.

SECTION 7. COLLECTION OF FIRE AND RESCUE ASSESSMENTS. The Fire and Rescue Assessments shall be collected pursuant to the Uniform Assessment

Collection Act. The Englewood Area Fire Control District is hereby authorized and directed to certify and deliver or cause the certification and delivery of the Fire and Rescue Assessment Roll to the Tax Collector by September 15, 2021 in the manner prescribed by Section 197.3632, Florida Statutes.


SECTION 8. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this FY2022 Annual Rate Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of assessment, the adoption of the Fire and Rescue Assessment Roll, the Fire and Rescue Assessed Costs, and the levy and lien of such Fire and Rescue Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 30 days from the date of this FY2022 Annual Rate Resolution.

SECTION 9. EFFECTIVE DATE. This Annual Rate Resolution shall take effect immediately upon its adoption.

PASSED AND DULY ADOPTED BY THE BOARD OF FIRE COMMISSIONERS OF THE ENGLEWOOD AREA FIRE CONTROL DISTRICT, ENGLEWOOD, FLORIDA, this 13th day of September, 2021.

**BOARD OF FIRE COMMISSIONERS
OF THE ENGLEWOOD AREA FIRE CONTROL
DISTRICT, ENGLEWOOD, FLORIDA**

**Attorney for the Englewood Area Fire
Control District**


Lori Wellbaum Emery, Esquire

ATTEST:


By: 
Clerk

By: 
Chair

By: 
Vice Chair

By: 
Secretary/Treasurer

By: 
Commissioner

By: 
Commissioner

APPENDIX A
PROOF OF PUBLICATION



RECEIVED

AUG 26 2021

**NOTICE OF PUBLIC HEARING
BOARD OF FIRE
COMMISSIONERS
ENGLEWOOD, FLORIDA**

A complete draft of the proposed resolution is on file in the Office of the Fire Chief, 516 Paul Morris Drive, Englewood, Florida and is available for inspection. All interested parties are invited to appear at the public hearing and be heard. Written comments filed with the Board of Fire Commissioners will be considered. The public hearing may be continued as announced at the meeting.

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA
COUNTY OF CHARLOTTE:**

Before the undersigned authority personally appeared **Melinda Prescott**, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** that was published in said newspaper in the issue(s)

08/23/2021

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Melinda Prescott
(Signature of Affiant)

Sworn and subscribed before me this 23rd day of August, 2021.

Laura M Robins
(Signature of Notary Public)

Personally known X OR Produced Identification

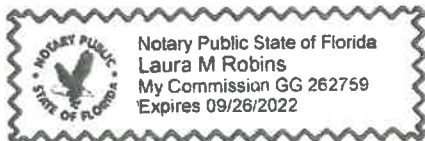
PLEASE BE NOTICED that the Board of Fire Commissioners of Englewood, Florida, at a scheduled meeting on the 13th day of September, 2021, at the Englewood Fire Administration Office 516 Paul Morris Drive, Englewood, Florida at 5:01 PM, or as soon thereafter as possible, will consider and act upon the adoption of the following proposed resolution.

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This notice is published pursuant to the requirement of Section of 125.66, Florida Statutes, as amended.

NO STENOGRAPIC RECORD BY A CERTIFIED COURT REPORTER IS MADE OF THIS MEETING. ACCORDINGLY, ANY PERSON WHO MAY SEEK TO APPEAL ANY DECISIONS INVOLVING THE MATTERS NOTICED HEREIN WILL BE RESPONSIBLE FOR MAKING A VERBATIM RECORD OF THIS TESTIMONY AND EVIDENCE AT THIS MEETING UPON WHICH ANY APPEAL IS TO BE BASED.
Publish Date: August 23, 2021.
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APPENDIX B
AFFIDAVIT OF MAILING

AFFIDAVIT OF MAILING

**STATE OF FLORIDA
COUNTY OF SARASOTA**

BEFORE ME, the undersigned authority, personally appeared Kevin Easton, who after being duly sworn, deposes and says:

1. I, Kevin Easton, am the duly appointed Fire Chief of the Englewood Area Fire Control District for Englewood, Florida.
2. On or before August 20, 2021, I mailed or directed the mailing of, a notice, by first class mail, to each owner of property within the Englewood Area Fire Control District in conformance with the requirements of Florida Statute 191.011, and other applicable provisions of law, at the address shown on the real property assessment tax roll maintained by the Sarasota County Property Appraiser for the purpose of the levy and collection of non-ad valorem taxes.

FURTHER AFFIANT SAYETH NOT.

Affiant

The foregoing instrument was acknowledged before me by Kevin Easton on behalf of Sarasota County, Florida, who is personally known to me or who has produced _____ as identification and did (did not) take an oath.

WITNESS, my hand and official seal this 13th day of September A.D., 2021.

Signature of person taking acknowledgement

KRISTA L. POWELL

Name of acknowledger (printed)



My commission expires: 4/25/2023

AFFIDAVIT OF MAILING

**STATE OF FLORIDA
COUNTY OF CHARLOTTE**

BEFORE ME, the undersigned authority, personally appeared Kevin Easton, who after being duly sworn, deposes and says:

1. I, Kevin Easton, am the duly appointed Fire Chief of the Englewood Area Fire Control District for Englewood, Florida.

2. On or before August 23, 2021 I mailed or directed the mailing of, a notice, by first class mail, to each owner of property within the Englewood Area Fire Control District in conformance with the requirements of Florida Statute 191.011, and other applicable provisions of law, at the address shown on the real property assessment tax roll maintained by the Charlotte County Property Appraiser for the purpose of the levy and collection of non-ad valorem taxes.

FURTHER AFFIANT SAYETH NOT.

Kevin Easton

Affiant

The foregoing instrument was acknowledged before me by Kevin Easton on behalf of Charlotte County, Florida, who is personally known to me or who has produced _____ as identification and did (did not) take an oath.

WITNESS, my hand and official seal this 13th day of September, A.D., 2021.

Krista L. Powell

Signature of person taking acknowledgement

KRISTA L. POWELL

Name of acknowledger (printed)



My commission expires: 4/25/2023