

## RESOLUTION 2276-23

### **A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA, CORRECTING RESOLUTION 2268-23 AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Winter Park (the "City") is vested with home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida and Chapter 166, Florida Statutes, to adopt resolutions;

**WHEREAS**, on February 22, 2023, the City passed Resolution 2268-23, authorizing the City's intent to use the uniform method of collecting non-ad valorem assessments;

**WHEREAS**, Resolution 2268-23 contained a typographical error with the misstatement that the City's intent to begin collecting non-ad valorem assessments for stormwater utility fees will commence with the 2024 Ad Valorem Tax Bill;

**WHEREAS**, instead, the City intends to collect non-ad valorem assessments for stormwater utility fees commencing with the 2023 Ad Valorem Tax Bill.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, THAT:**

**SECTION 1. RECITALS.** The foregoing findings are true and correct material provisions of the Resolution and are incorporated herein by reference and made a part hereof.

**SECTION 2. AMENDMENT TO RESOLUTION 2268-23.** Section 2 of Resolution 2268-23, "Authorization of Intent," is amended as follows (words stricken through are deletions; words underlined are additions):

The City Commission hereby confirms the City's intent to use the uniform method of collecting non-ad valorem assessments for stormwater utility fees commencing with the ~~2024~~ 2023 Ad Valorem Tax Bill and for each year thereafter. A legal description of the boundaries of the properties subject to the levy of such assessments is attached as **Exhibit A**. Adoption of this Resolution shall not be deemed to commit or require the City to impose any assessments.

All other provisions of Resolution 2268-23 remain valid and in full force and effect.

**SECTION 3. SEVERABILITY OF INVALID PROVISIONS.** If any one or more of the covenants, amendments or provisions contained herein is held contrary to any express provisions of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or is for any reason whatsoever held invalid, then such covenants, amendments, or provisions will be null and void and deemed severable from the remaining covenants, amendments, or provisions hereof and will in no way affect the validity of any of the other provisions of this Resolution.

**SECTION 4. EFFECTIVE DATE.** This Resolution will take effect immediately upon its adoption.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park held in City Hall, Winter Park, on this 26th day of July 2023.

By: \_\_\_\_\_  
Phillip M. Anderson, Mayor

ATTEST:

\_\_\_\_\_  
Rene Cranis, City Clerk

## **EXHIBIT A**

### **AREAS SUBJECT TO ASSESSMENT**

The entire corporate boundaries of the City of Winter Park on file in the City Clerk's office.