

RESOLUTION NO. 24-

TENTATIVE ASSESSMENT RESOLUTION FOR EXCESSIVE BULK WASTE FOR FISCAL YEAR 2024/25

WHEREAS, pursuant to Polk County Ordinance 18-016 (the “Ordinance”), Polk County (the “County”) has undertaken a program to collect and dispose of Excessive Bulk Waste; and

WHEREAS, the Ordinance authorizes the County to collect and dispose of Excessive Bulk Waste if the parcel owner fails to do so after receiving notice of the Excessive Bulk Waste; and

WHEREAS, the Ordinance authorizes the County to impose an Excessive Bulk Waste Assessment upon Assessment Property to collect the costs incurred by the County to collect and dispose of the Excessive Bulk Waste: and

WHEREAS, the Board of County Commissioners (BoCC) finds that the properties improved as a result of the County collecting and disposing Excessive Bulk Waste have specially benefited from the County’s actions in an amount equal to or greater in kind and degree than other properties in the County; and

WHEREAS, the owners of many of the benefited properties have failed or refused to reimburse the County for the costs incurred by the County in improving their property resulting in liens being recorded against the benefited properties; and

WHEREAS, the BoCC finds that it is fair, reasonable, and equitable to assess against each benefited property a non-ad valorem special assessment in an amount equal to the costs incurred by the County in improving said property, less any amounts paid by the property owner to offset such costs; and

WHEREAS, the BoCC finds that the properties subject to this non-ad valorem special assessment derived a special benefit from the service provided and that it is fairly and reasonably apportioned among the properties that received the special benefit; and

WHEREAS, the uniform method of collecting non-ad valorem assessments, as authorized by Section 197.3632, Florida Statutes, provides for the collection of non-ad valorem assessments by including such assessments on the tax bills issued for the collection of ad valorem taxes; and

WHEREAS, notice was given, pursuant to Section 197.3632, Florida Statutes, that the BoCC would collect the liens imposed for the collection of Excessive Bulk Waste by means of the uniform method of collecting non-ad valorem assessments at a properly advertised public hearing held on December 5, 2023; and

WHEREAS, the BoCC desires to utilize the uniform method of collecting non-ad valorem assessments to collect the non-ad valorem assessments specified herein; and

WHEREAS, the BoCC desires to adopt a tentative assessment roll at this time and to schedule a public hearing for purposes of adopting a final assessment roll for the non-ad valorem assessments specified herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida:

SECTION 1. RECITALS. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. DEFINITIONS. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the masculine include the feminine gender and vice versa. The word “shall” is always mandatory and not merely discretionary.

SECTION 3. ELECTION TO UTILIZE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS. The BoCC hereby elects to utilize the uniform method of collecting non-ad valorem assessments, as provided in Section 197.3632, Florida Statutes for collecting the non-ad valorem assessments specified herein, which assessments have been levied against the properties described in the Tentative Assessment Roll in Exhibit “A” attached hereto and made a part hereof.

SECTION 4. ADOPTION OF TENTATIVE ASSESSMENT ROLL. The BoCC hereby adopts Exhibit “A” as Polk County’s tentative assessment roll (“Tentative Assessment Roll”) for special assessments imposed against properties for the collection and disposal of Excessive Bulk Waste.

SECTION 5. AUTHORIZATION OF PUBLIC HEARING. A public hearing shall be established by a separate action by the Board at which time the Board shall hear comments and objections from Owners and other members of the public as to the proposed assessment roll and final assessment resolution and as to the method of apportionment of the costs incurred by the County to abate the nuisances on the properties assessed. The Board shall make such increase, decrease or revision to any proposed

assessment as it shall deem necessary or appropriate and shall adopt a final assessment resolution. The Board may continue said public hearing to a date and time certain without the necessity of further public notice to allow, prior to final adoption, increases, decreases or revisions to the tentative rate resolution or changes, modification or additions to the assessment roll or for such other reason deemed necessary in the sole discretion of the Board. If upon completion of such public hearing the Board shall be satisfied that the assessment roll has been prepared in conformity with this Tentative Rate Resolution and the Ordinance, it shall ratify and confirm such roll.

SECTION 6. NOTICE BY PUBLICATION. The County Manager is hereby directed to provide notice by publication of the public hearing established by the Board.

SECTION 7. NOTICE BY MAIL. Pursuant to Section 200.069, Florida Statutes, and with agreement of the Property Appraiser, the Board elects to combine notice of the public hearing established by the Board with the truth-in-millage notification required pursuant to Section 200.069, Florida Statutes. Such mailed notice shall be in the form required by section 200.069, Florida Statutes, and consistent with the Uniform Assessment Collection Act for the purpose of imposing assessments for the Fiscal Year beginning October 1, 2024.

SECTION 8. METHOD OF COLLECTION. It is hereby declared that the assessments imposed shall be collected and enforced pursuant to the Uniform Assessment Collection Act beginning October 1, 2024.

SECTION 9. EFFECTIVE DATE. This Resolution shall take effect immediately upon passage.

ADOPTED this 2nd day of July, 2024.

ATTEST:
Stacy M. Butterfield, CLERK

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Bill Braswell, Chairman

EXHIBIT "A"

2024/25 TENTATIVE ASSESSMENT ROLL

EXCESSIVE BULK WASTE

CASE	PROP OWNER 1	PARCEL ID#	LEGAL DESCRIPTION OF LOT	VIOL ADDRESS	VIOL	GRAND TOTAL
CBW-2022-518	CARLTON TAYLOR	283033-955400-000292	LINDUS PARK PB 32 PG 16 LOT 29 W 140 FT SAID LOT 29 HAVING A FRONTAGE OF 66 FT ON STREETS & HAVING A DEPTH OF 280 FT M/L	826 LINDUS RD, BABSON PARK	EXCESSIVE BULK WASTE	552.02
CBW-2022-530	LORENZO IGNACIO GARCIA SILDA JANETT DEAN	232933-142384-000070	SHADY BROOKE PB 87 PG 48 LOT 7	3427 OAK MEADOWS DR, MULBERRY	EXCESSIVE BULK WASTE	385.33
CBW-2022-965	COLUMBA URBINA	283206-985600-002080	ADD TO BAY VIEW PARK SUB PB 10 PG 26 BLK B LOTS 8 & 9 LESS R/W FOR CR 630	1625 FORT MEADE RD, FROSTPROOF	EXCESSIVE BULK WASTE	380.37
CBW-2022-944	J R MARKET INC	272716-740500-021801	FLA DEVELOPMENT CO SUB PB 3 PGS 60 TO 63 LOTS 18 LYING E OF US 17 LESS S 124 FT & LESS BEG 124 FT N OF INTER E R/W OF U S 17 & S LINE LOT 18 RUN E 163 FT N06-21E 202 FT N80-39W 128.29 FT TO CURVE SLY ALONG CURVE 229.27 FT TO POB & LESS BEG PT 124 FT N OF S LINE LOT 18 & 163 FT E OF R/W OF US 17-92 RUN N06-21E 172 FT E TO E LINE OF LOT 18 S 166 FT M/L W 159.5 FT M/L TO POB & LOT 19 LESS E 308 FT & LESS S 124 FT IN SE1/4	2671 HWY 17 92 N, HAINES CITY	EXCESSIVE BULK WASTE	568.30

CBW-2023-52	MOZELL AXON SR, EVELYN MURPHY, WILLIE AXON JR, ERNEST AXON, NATHANIEL AXON, IRENE HARRELL,LESTER AXON	252633- 296500- 006190	POLK CITY PB 24 PG 1 & 1A S28 29 32 33 & 34 T26 R25 BLK 6 LOTS 19 & 20	0 SMITH RD, POLK CITY	EXCESSIVE BULK WASTE	389.29
CBW-2022-882	HUALIN C YIP	282618- 932903- 000930	SERENO PHASE ONE PB 146 PG 22- 25 LOT 93	1653 TAMARIND RD, DAVENPORT	EXCESSIVE BULK WASTE	632.04
CBW-2023-65	JOEL MARTINEZ	263018- 000000- 021060	BEG SE COR OF NE1/4 OF NE1/4 OF SE1/4 RUN N 80 FT FOR POB N 80 FT W 240 FT S 80 FT E 240 FT TO POB LESS MAINT R/W	2847 REYNOLDS RD, BARTOW	EXCESSIVE BULK WASTE	852.16
CBW-2023-95	JAMES T KING III	242827- 000000- 022015	BEG SE COR OF SE1/4 RUN W 925.82 FT N 400 FT TO POB CONT N 100 FT W 600 FT S 100 FT E 600 FT TO POB	2704 CRYSTAL LAKE ACRES DR, LAKELAND	EXCESSIVE BULK WASTE	565.38
CBW-2023-35	AKHENA T CROSS, OSCAR F CROSS III, DANIELLA F CROSS WILKINS, THAMI P CROSS	252927- 362290- 000160	GORDON HEIGHTS PHASE 5 PB 59 PG 48 LOT 16	2760 FRAZIER ST, BARTOW	EXCESSIVE BULK WASTE	564.69
CBW-2023-50	ESTATE OF JANICE F BRIDGES, MACK REVOCABLE TRUST	272934- 875300- 002100	NORTHSIDE HEIGHTS PB 36 PG 48 BLK B LOT 10	148 NORTHSIDE DR, LAKE WALES	EXCESSIVE BULK WASTE	756.52
CBW-2023-85	PAGAYA SMARTRESI F1 FUND PROPERTY OWNER II LLC	282713- 933480- 005030	POINCIANA NEIGHBORHOOD 1 VILLAGE 3 PB 52 PGS 8-18 BLK 5 LOT 3	427 SPIKE CT, POINCIANA	EXCESSIVE BULK WASTE	564.67

CBW-2023-117	EDGAR MACDONALD, SANDRA MACDONALD	272629- 707020- 002831	REPLAT NO 1 OF CRESCENT ESTS SUB #1 UNIT A PB 63 PG 49 LOTS 283 & 284 & TRACT H DESC AS BEG NW COR OF LOT 284 RUN E 189.60 FT S 03 DEG 32' 07" E 17.95 FT S 60 DEG W 156.25 FT N 30 DEG W 110.78 FT TO POB	12 COTTONWOOD DR, DAVENPORT	EXCESSIVE BULK WASTE	450.72
CBW-2023-154	ESTATE OF NELY BORBA ORSINI	232810- 000000- 023066	BEG 710 FT W & 455 FT N OF SE COR OF NW1/4 OF SE1/4 RUN W 165 FT N 70 FT E 165 FT S 70 FT TO POB LESS E 32.5 FT FOR RD	1220 EL CAMINO RD, LAKELAND	EXCESSIVE BULK WASTE	1,035.99
CBW-2023-186	WILLIE FELTON, JOSEPHINE NEAL MAGEE	242701- 160951- 000400	COUNTRY TRAILS PHASE ONE PB 82 PGS 30 & 31 LOT 40	4505 COUNTRY TRAILS DR, POLK CITY	EXCESSIVE BULK WASTE	563.82
CBW-2023-202	SALAH RABI, SUMIAH RABI	262815- 533530- 000390	BUCKEYE HILLS PB 44 PG 29 LOT 39	1200 12TH CT NE, WINTER HAVEN	EXCESSIVE BULK WASTE	563.66
CBW-2023-213	AMANDA R BLOCKER	283207- 985700- 008160	SUN RAY HOMES PLAT 1 PB 43 PG 8 BLK H LOT 16	232 THOMAS AVE, FROSTPROOF	EXCESSIVE BULK WASTE	767.32
CBW-2023-216	RICHARD L GIBSON JR, WANDA S LEGER	232823- 107000- 002270	ROSEMONT PB 12-21 BLK 2 LOTS 27 & 28	825 SOUTHERN AVE, LAKELAND	EXCESSIVE BULK WASTE	945.17
CBW-2023-224	ALPHONSO SITAL	283018- 947210- 003170	HIGHLAND PARK MANOR PLAT #2 PB 56 PG 8 BLK 3 LOT 17	2449 LYDIA ST, LAKE WALES	EXCESSIVE BULK WASTE	563.82
CBW-2023-167	BRANMORTY PROPERTIES LLC	232823- 099500- 011120	IDLEWILD SUB UNIT NO 3 PB 9 PG 29 BLK K LOT 12 LESS RD R/W	1804 W GREENWOOD ST, LAKELAND	EXCESSIVE BULK WASTE	662.62

CBW-2023-246	DANIEL PAUL, DENNIS PAUL, SANDY PAUL BEVEL, DAVID PAUL, ESTATE OF BERTHA FRIMAT, ALICE KOHLER, HELEN ALLEN	232823-098500-002240	IDLEWILD SUB PB 7 PG 44 BLK B LOT 24	1833 OAKHILL ST, LAKELAND	EXCESSIVE BULK WASTE	448.84
CBW-2023-750	FELICIA SKIDMORE	252706-298340-004340	MOUNT OLIVE HEIGHTS PLAT BOOK 64 PAGE 14 BLOCK D LOT 34	5540 JACOB AVE, POLK CITY	EXCESSIVE BULK WASTE	445.75
CBW-2019-3355 PYMT PLAN	SANDRA L DELGADO	232810-000000-041008	E 140 FT OF S 154 FT OF E1/2 OF SW1/4 OF NE1/4 OF SW1/4 LESS RD R/W ON S SIDE	2929 CRUTCHFIELD RD, LAKELAND	EXCESSIVE BULK WASTE	2,087.85
CBW-2022-140 PYMT PLAN	WILLIAM R COLLETTE	283218-000000-031020	BEG ON ELY SIDE RAYMOND AVE 125 FT S FROM INT E SIDE RAYMOND AVE WITH N SIDE WILLIAM ST RUN ELY 120 FT SLY 75 FT WLY 120 FT NLY 75 FT TO POB BEING LOT B BLK 10 OF UNRE SURVEY	503 RAYMOND AVE, FROSTPROOF	EXCESSIVE BULK WASTE	390.59
TOTAL						\$ 15,136.92