



# **Marion County**

## **Board of County Commissioners**

### **Public Hearing Meeting**

### **Meeting Agenda**

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**Tuesday, April 23, 2024**

**10:00 AM**

**McPherson Governmental  
Campus Auditorium**

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#### **Final Public Hearing for Doublegate Subdivision MSBU**

**INTRODUCTION OF PUBLIC HEARING BY CHAIR MICHELLE STONE**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**PROOF OF PUBLICATION**

**STAFF PRESENTATION**

1. [PUBLIC HEARING: to Consider the Adoption of an Ordinance to Amend Section 12-446 of the Marion County Code of Ordinances to Increase the Maximum Assessment Rate and Change the Name of the Municipal Service Benefit Unit Associated with the Doublegate Subdivision](#)

**PUBLIC COMMENT**

**BOARD DISCUSSION**

**CLOSING COMMENTS**



# Marion County

## Board of County Commissioners Public Hearing Meeting

### Agenda Item

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**File No.:** 2024-14830

**Agenda Date:** 4/23/2024

**Agenda No.:** 1.

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**SUBJECT:**

**PUBLIC HEARING:** to Consider the Adoption of an Ordinance to Amend Section 12-446 of the Marion County Code of Ordinances to Increase the Maximum Assessment Rate and Change the Name of the Municipal Service Benefit Unit Associated with the Doublegate Subdivision

**INITIATOR:**

**Chad Wicker, Director**

**DEPARTMENT:**

**MSTU**

**DESCRIPTION/BACKGROUND:**

Staff is recommending to amend the name of the Doublegate Subdivision Municipal Service Taxing Unit for General Services to now read as Doublegate Subdivision Municipal Service Benefit Unit for General Maintenance and Capital Improvements to better describe the legal status of the unit with regard to its purpose.

In 1997, Doublegate Subdivision established its first Ordinance which set the maximum rate at \$35.00 per parcel. In 2006, the maximum rate was increased to \$50.00 per parcel. The rate is no longer sufficient for the current level of service in Doublegate Subdivision and is not sustainable under the current assessment amount. The proposed solution is to amend the existing Ordinance to establish a new maximum rate of \$100.00, which would allow the Board discretion to consider enacting a rate resolution of up to \$100.00 per parcel at a later Public Hearing.

**BUDGET/IMPACT:**

None

**RECOMMENDED ACTION:**

Motion to approve the proposed Ordinance to amend the name change to Doublegate Subdivision Municipal Service Benefit Unit for General Maintenance and Capital Improvements and increase the maximum assessment rate to \$100.00 and authorize the Chair and Clerk to execute the same.



# LEGAL REQUEST MEMORANDUM (LRM)

To: ☐ Matthew Minter, County Attorney ☒ Dana E. Olesky, Chief Asst County Attorney ☐ Elizabeth Alt, Sr Asst County Attorney ☐ Russell Ward, Asst County Attorney ☐ William Harris, Asst County Attorney

From: (Name) Wicker Chad (Dept) MSTU - 4155  
 Last First  
 (Title) MSTU Director (Phone) 352-438-2660  
 Signature [Signature] Date 3/13/24

The Office of the County Attorney is requested to provide legal assistance as detailed in this legal request and supporting documents (attached).

Request for: ☒ New Document ☐ Review & Comment ☐ RESUBMIT LRM No. \_\_\_\_\_  
☒ Approve as to Form ☐ Other

## Description of Request

Please review the attached Ordinance to amend the name of the MSBU and authorize a new maximum assessment per parcel for the Doublegate Subdivision Municipal Service Benefit Unit for General Maintenance and Capital Improvements. The public hearing is scheduled for April 23, 2024 at 10:00 am.

For more information or discussion, contact: ☒ Same as above  
 (Name) \_\_\_\_\_ (Title) \_\_\_\_\_ (Phone) \_\_\_\_\_  
 Last First

COMPLETION IS REQUESTED BY: (specific date) Thursday, March 28, 2024

Please allow for a MINIMUM of five (5) working days from receipt of LRM:

Agenda Item? ☒ Yes ☐ No  
 Agenda Deadline Date: Thursday, April 11, 2024 Agenda Date: Tuesday, April 23, 2024

LRM No. 2024-229 DO NOT COMPLETE - Office of the County Attorney use ONLY

Outcome:

Date Received:

approved as to form

**RECEIVED**

By Marion County Attorney- AT at 3:55 pm, Mar 13, 2024

Attorney Signature: [Signature] Date 4/4/24

Staff Signature: [Signature] 4/4/24 Completed  
 Returned: ☒ Department ☐ Admin ☐ Procurement

ORDINANCE NO. 24- \_\_\_\_\_

AN ORDINANCE OF MARION COUNTY, FLORIDA, RELATING TO THE DOUBLEGATE SUBDIVISION MUNICIPAL SERVICE TAXING UNIT FOR GENERAL SERVICES; AMENDING ORDINANCE NUMBERS 97-7 AND 12-06, CODIFIED AS SECTION 12-446 OF THE MARION COUNTY CODE TO AMEND THE NAME OF THE MSBU TO DOUBLEGATE SUBDIVISION MUNICIPAL SERVICE BENEFIT UNIT FOR GENERAL MAINTENANCE AND CAPITAL IMPROVEMENTS; AMENDING CHAPTER 12, ARTICLE XXXI, SECTION 12-449; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN CODE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board established the Doublegate Subdivision Municipal Service Taxing Unit for General Services (the "MSTU") in Ordinance No. 97-7, codified as Section 12-446 of the Marion County Code; and

WHEREAS, Ordinance No. 97-7 provides that the purpose of the MSTU is for providing municipal services within its boundaries; and

WHEREAS, such municipal services are funded by non-ad valorem assessments on a per parcel basis and provide special benefit to the properties within its boundaries; and

WHEREAS, the services provided by said MSTU were initially funded through a special assessment not to exceed \$35.00 per parcel; and

WHEREAS, in order to maintain the level of services provided by said MSTU, Ordinance 12-06 was enacted to increase the annual special assessment to a not to exceed amount of \$50.00 per parcel; and

WHEREAS, the Board desires that Ordinance Nos. 97-7 and 12-06 now be amended to change the name of the Doublegate Subdivision Municipal Service Taxing Unit for General Services to "Doublegate Subdivision Municipal Service Benefit Unit for General Maintenance and Capital Improvements" to better describe the legal status of the unit with regard to its powers, purpose, and structure; and

WHEREAS, the Board has also determined it is necessary to increase the maximum per parcel annual special assessment rate for the unit to one hundred dollars (\$100.00) per year to allow for adequate funding for municipal services benefitting the

subdivision; and

WHEREAS, the adoption of this ordinance will better codify the structure of the unit which promotes the health, safety, and welfare of the citizens of Marion County, Florida; and

NOW THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Marion County, Florida, as follows:

SECTION 1. All references to “Doublegate Subdivision Municipal Service Taxing Unit for General Services” in Ordinance 97-7 and 12-06, the Code of Ordinances of Marion County, Florida, and any other ordinance or resolution are hereby amended to read “Doublegate Subdivision Municipal Service Benefit Unit for General Maintenance and Capital Improvements”, and

SECTION 2. AMENDING SECTION 12-446. The intention of the Board is solely to correct the name of the municipal service benefit unit which had been referred to as a “Municipal Service Taxing Unit” in its organic ordinance in order to better reflect the existing structure and purposes of its assessments and that all references to “Doublegate Subdivision Municipal Service Taxing Unit for General Services” and to “Doublegate Subdivision Municipal Service Benefit Unit for General Maintenance and Capital Improvements” refer to the same municipal service benefit unit. All special assessments in either name shall continue to be due and payable to the MSBU, regardless of in which name they were levied.

SECTION 3. AMENDING SECTION 12-449 – Authorizing special assessments on a per parcel basis.

- (a) Municipal services as authorized by this article may be funded by special assessments on a per parcel basis, not to exceed ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100.00) per year. The board may adjust assessments against individual parcels on the basis of justice and right.
- (b) For purposes of this section, “parcel” means a platted lot or tract as shown on the plats referred to in section 12-446(1).

SECTION 4. SEVERABILITY. It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, provision of this ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 5. REPEAL OF ORDINANCES. All ordinances, or parts of ordinances, in conflict with this ordinance are to the extent of such conflict hereby repealed.

SECTION 6. INCLUSION IN CODE. It is the intention of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Marion County, Florida, that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

SECTION 7. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Department of State by the Clerk within ten days after enactment by the Board, and shall take effect upon receipt of official acknowledgment of filing as provided in Section 125.66(2), Florida Statutes.

DULY ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2024.

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA

\_\_\_\_\_  
MICHELLE STONE, CHAIR

ATTEST:

\_\_\_\_\_  
GREGORY C. HARRELL, CLERK

# Doublegate Subdivision MSTU – Street Lighting

