

TOWN OF LOXAHATCHEE GROVES

155 F Road Loxahatchee Groves, FL 33470



AGENDA MEMO

TO: Town Council of Town of Loxahatchee Groves
(Sitting as the Board of Supervisors of the Loxahatchee Groves
Water Control District)

FROM: Glen J. Torcivia, Town Attorney

DATE: December 3, 2024

SUBJECT: Uniform Method for Drainage Works Abatement Assessments (Resolution
and Required Agreements with Tax Collector and Property Appraiser)

Background: Pursuant to Chapter 46 “Special Districts” of the Town’s Code of Ordinances, the Loxahatchee Groves Water Control District (“District”) is authorized to levy assessments for the cost of eliminating drainage works nuisance conditions on private properties. The District intends to use the uniform method for collecting such assessments, and, to do so, section 197.3632(3)(a), Florida Statutes, requires the adoption of “a resolution at a public hearing prior to January 1...” The Resolution has been prepared and is attached. The statute also requires the District to “publish notice of its intent to use the uniform method for collecting such assessments weekly in a newspaper of general circulation...for 4 consecutive weeks preceding the hearing.” The proof of publication and the published notice are attached to the Resolution as an exhibit. Further, section 197.3632(2), Florida Statutes, requires the District to “enter into a written agreement with the property appraiser and tax collector providing for reimbursement of necessary administrative costs incurred under this section.” To this end, the Board of Supervisors is required to enter into the Palm Beach County Property Appraiser’s (“Appraiser”) “Agreement” (attached), the Appraiser’s “Confidentiality and Non-Disclosure Agreement” (attached) (also required by the Appraiser for tax collection purposes), and the Palm Beach Tax Collector’s (“Tax Collector”) “Uniform Collection Agreement” (attached). The Resolution provides for the Board of Supervisors’ authorization to the District Administrator to execute these three documents on behalf of the District.

Recommendation: Motion to approve the (1) Resolution regarding the District’s intent to use the uniform method for the collection of drainage works nuisance abatement non-ad valorem assessments, (2) the Appraiser’s “Agreement” (for administrative costs), (3) the Appraiser’s “Confidentiality and Non-Disclosure Agreement”, and (4) the Tax Collector’s “Uniform Collection Agreement” (for administrative costs).