

Anne Dalton, Esquire
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Memorandum

To: Town Clerk

CC: Town Councilmembers
Town Manager, Town Finance Director

From: Anne Dalton, Esquire 

Date: July 28, 2007

Subject: Resolution 07-26/Tentative Millage and Public Hearings

Michelle –

Enclosed herewith is the final version of Resolution 07-26 setting the proposed operating Town millage rate. It also schedules hearings for September 10 and 24, 2007 at 5:01 pm for adoption of the final millage rate and consideration of the Town budget for 2007-08.

Please note that a certified copy of the executed resolution must be mailed to the Lee County Property Appraiser pursuant to F.S. 200.065 (b):

Within 35 days of certification of value pursuant to subsection (1), each taxing authority shall advise the property appraiser of its proposed millage rate, of its rolled-back rate computed pursuant to subsection (1), and of the date, time, and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget. The property appraiser shall utilize this information in preparing the notice of proposed property taxes pursuant to s. 200.069. The deadline for mailing the notice shall be the later of 55 days after certification of value pursuant to subsection (1) or 10 days after either the date the tax roll is approved or the interim roll procedures under s. 193.1145 are instituted.

Thank you.

RESOLUTION NUMBER 07-26

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING THE TENTATIVE OPERATING AD VALOREM MILLAGE RATE FOR TAX YEAR 2007/2008 FOR THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA; DETERMINING THAT THE PROPOSED OPERATING MILLAGE RATE MEETS THE ROLLED-BACK RATE; ESTABLISHING THE DATE, TIME AND PLACE FOR FINAL HEARINGS TO ADOPT THE FINAL OPERATING AD VALOREM MILLAGE RATE AND THE TENTATIVE BUDGET FOR THE TAX YEAR 2007/2008; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, Section 200.065, Florida Statutes, establishes the method for determining and levying an ad valorem millage rate and adopting a budget for all taxing authorities in the State of Florida; and

WHEREAS, the Town of Fort Myers Beach, Lee County, Florida, by and through its Town Council, has determines it is in the best interest of the Town and orderly governmental process to hold public hearings as required by Florida Statutes 200.065; and

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of Fort Myers Beach that the Town Council set the tentative operating millage rate as set forth herein and take the other actions set forth herein; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within the Town of Fort Myers Beach, Lee County, Florida has been certified by the Lee County Property Appraiser to the Town of Fort Myers Beach as \$3,903,363,740.

IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. Incorporation of Whereas Clauses. The above "Whereas" clauses are hereby incorporated by reference as though fully set forth herein.

Section 2. Adoption of Tentative Ad Valorem Operating Millage Rate for Tax Year 2007-2008. The tentative ad valorem operating millage rate for tax year 2007-2008 is hereby adopted at 0.6053 mills and the levy of an annual tax for said year is tentatively made. This tentative operating millage rate equals the rolled back rate.

Section 3. Meeting to Adopt Final Millage Rate and Consider Budget for Fiscal Year 2007-2008 Public meetings and hearings will be held on September 10, 2007 at 5:01 pm and on September 24, 2007 at 5:01 pm at the Town Hall of the Town of Fort Myers Beach, Florida located at 2523 Estero Boulevard, Fort Myers Beach, Florida to consider and adopt the final millage rate for fiscal year 2007-2008 and to consider the tentative budget for fiscal year 2007-2008 as set forth in F.S.200.065 et seq.

Section 4. Effective Date. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

The foregoing Resolution was adopted by the Town Council upon a motion by Vice Mayor Kiker and seconded by Councilmember Shenko, and upon being put to a vote, the result was as follows:

Dennis C. Boback, Mayor	<u>aye</u>
Larry Kiker, Vice Mayor	<u>aye</u>
Herb Acken	<u>aye</u>
Charles R. Meador, Jr.	<u>nay</u>
William Shenko, Jr.	<u>aye</u>

THIS RESOLUTION WAS ADOPTED ON THE 21ST DAY OF JULY, 2007.

THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH

By: 
Dennis C. Boback, Mayor

Approved as to legal sufficiency:

ATTEST:

By: 
Anne Dalton, Esquire
Town Attorney

By: 
Michelle Mayher, Town Clerk