

**RESOLUTION OF THE DOWNTOWN REDEVELOPMENT AGENCY OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 09-01-DRA**

**A RESOLUTION OF THE DOWNTOWN REDEVELOPMENT AGENCY OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING THE TENTATIVE DOWNTOWN REDEVELOPMENT AGENCY BUDGET FOR FISCAL YEAR 2010, PROVIDING AUTHORITY; TOWN MANAGER'S RESPONSIBILITY; TENTATIVE BUDGET; PUBLIC HEARING; ADOPTION; SEVERABILITY; REPEALING CLAUSE; AND EFFECTIVE DATE.**

**WHEREAS, Section 200.065(2)(c), Florida Statutes establishes the method for conducting public hearings and adopting a tentative and final budget for all taxing authorities in the State of Florida; and**

**WHEREAS, Section 166.241, Florida Statutes requires the governing body of each municipality in Florida to adopt a budget via ordinance or resolution before the start of each fiscal year; and**

**WHEREAS, Article XI, Section 11.03 of the Town Charter provides for adoption of the budget by resolution on or before the 30th day of September of each year; and**

**WHEREAS, the Downtown Redevelopment Agency of the Town of Fort Myers Beach, hereby determines that it is in the best interest of the Town and orderly governmental process to hold public hearings as required by the aforesaid state statutes and Town Charter provisions; and**

**WHEREAS, following due notice, on September 9, 2009, the Downtown Redevelopment Agency held the required public hearing and, following public input, adopted a tentative Downtown Redevelopment Agency operating budget for fiscal year 2010; and**

**WHEREAS, the operating budget for the Downtown Redevelopment Agency of the Town of Fort Myers Beach, Florida has set forth the appropriations, including income and expenditures.**

**IT IS HEREBY RESOLVED BY THE DOWNTOWN REDEVELOPMENT AGENCY OF THE TOWN OF FORT MYERS BEACH, FLORIDA AS FOLLOWS:**

**SECTION ONE: Authority. This Resolution is enacted pursuant to the provisions of Chapter 95-494, Laws of Florida, Chapter 166, Florida Statutes, and other applicable provisions of law.**

**SECTION TWO: Town Manager's Responsibility. The Town Manager of the Town of Fort Myers Beach, Florida, has presented to the Downtown Redevelopment Agency the tentative operating budget covering the revenues and expenditures as estimated to be required for the fiscal year 2010.**

**SECTION THREE: Tentative Budget. The Downtown Redevelopment Agency, in duly called session, has reviewed the proposed budget and, having made any required amendments thereto, has adopted a tentative budget. A copy of the budget with any necessary amendments thereto as made by the Downtown Redevelopment Agency**

during hearing of this matter is attached hereto as Exhibit "A" and incorporated herein by reference.

**SECTION FOUR: Adoption.** The Downtown Redevelopment Agency of the Town of Fort Myers Beach, Florida, tentative operating budget, revenue, expenditures, and capital budget for the fiscal year 2010, which is attached hereto as Exhibit "A", is hereby adopted.

**SECTION FIVE: Public Hearing.** A second public meeting and hearing will be held on September 21, 2009 at 6:30 pm. at the Fort Myers Beach Town Hall, 2523 Estero Boulevard, Fort Myers Beach, Florida, to consider and adopt the final budget for fiscal year 2010. Notice thereof is to be published in a newspaper of general circulation in the Town of Fort Myers Beach according to law.

**SECTION SIX: Severability.** If any one of the provisions of this resolution should be held contrary to any express provision of law or contrary to the policy of express law, although not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be deemed separate from the remaining provisions of this resolution, and in no way affect the validity of all other provisions of this resolution.

**SECTION SEVEN: Effective Date.** This resolution shall become effective immediately upon adoption.

The foregoing Resolution was adopted by the Downtown Redevelopment Agency of the Fort Myers Beach Town Council upon a motion by Council/DRA member List and seconded by Council/DRA member Acken, and upon being put to a vote, the result was as follows:

**DULY PASSED AND ADOPTED ON THIS 9<sup>TH</sup> DAY OF SEPTEMBER, 2009.**

Larry Kiker, Mayor/DRA Chair	aye	Herb Acken, Vice Mayor/DRA Vice Chair	aye
Tom Babcock, Council/DRA member	aye	Jo List, Council/DRA member	aye
Bob Raymond, Council/DRA member	aye		

ATTEST:

TOWN OF FORT MYERS BEACH

By:   
Michelle Mayher, Town Clerk

By:   
Larry Kiker, DRA Chair

Approved as to legal sufficiency by:

By:   
Anne Dalton, Town Attorney

**Town of Fort Myers Beach  
Fiscal Year 2009-10  
Budget Detail**

Fund: DRA  
 Department Downtown Redevelopment Agency

The Town of Fort Myers Beach Community Redevelopment Agency (CRA) is included in the Town's reporting entity because of the significance of the operations and financial relationship with the Town. The component unit has the same governing body as the Town, and is accounted for in a special revenue fund. The CRA was established by the Lee Town Board of Town Commissioners pursuant to Resolution 90-07-21. The Town Council for the Town of Fort Myers Beach became the governing board of the CRA pursuant to the Town's Resolutions 98-13. The name was changed to the Downtown Redevelopment Agency (DRA) in 1999. The current budget reflects the two outstanding assessments. Once collected by the Town, the proceeds will transfer to other funds.

<b>Revenue Category</b>	Actual Revenues FY 08	Adopted Revenues FY 09	Adopted Revenues FY 10
Special Assessments & Interest	4,334	29,254	36,060
Total Budget	<b>\$ 4,334</b>	<b>\$ 29,254</b>	<b>\$ 36,060</b>

<b>Expenditure Category</b>	Actual Expenditures FY 08	Adopted Expenditures FY 09	Adopted Expenditures FY 10
Materials, supplies & transfers	17,429	29,254	36,060
Total Budget	<b>\$ 17,429</b>	<b>\$ 29,254</b>	<b>\$ 36,060</b>