

**RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 09-13**

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING BUDGET AMENDMENT BA-09-01 TO THE TOWN GENERAL FUND; PROVIDING AUTHORITY; EFFECTIVE DATE

WHEREAS, Florida Statute 200.065(2)(c) establishes the method for adoption of a budget for all taxing authorities in the State of Florida and Florida Statute 166.241 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, on September 15, 2008, the Town Council of the Town of Fort Myers Beach, following due public notice, adopted a final operating budget for fiscal year 2008-09, as set forth with greater specificity in Town Resolution 08-42; and

WHEREAS, Section 11.05(c) of Article XI of the Charter of the Town of Fort Myers Beach provides that the Town Manager shall report to Town Council regarding an anticipated deficit in revenues for the Town operating budget, including the estimated amount of such deficit, remedial action(s) taken and recommendations as to any other steps to be taken; and

WHEREAS, Section 11.05(c) of Article XI of the Town Charter further provides that the Council shall take such action as it deems necessary to prevent or minimize any such deficit and for that purpose may, by resolution, reduce one or more appropriations; and

WHEREAS, the Town Manager has reported to Council that a deficit in revenues is currently expected, and has made various recommendations which are set forth in Budget Amendment BA-09-01, which is attached hereto and hereby incorporated by reference.

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

Section 1. The above recitals as set forth in the various "Whereas" clauses are hereby adopted by reference and incorporated into the body of this Resolution.

Section 2. The Town Council hereby approves, adopts and accepts Budget Amendment BA-09-01, which is attached to this Resolution, as a formal amendment to the 2008-2009 Town General Fund. The Town Council further finds that Budget Amendment BA-09-01 is consistent with the requirements of Section 11.05(c) of Article XI of the Town Charter in that such amendment is anticipated to prevent or minimize an anticipated revenue deficit.

Section 3. This resolution is effective immediately upon adoption.

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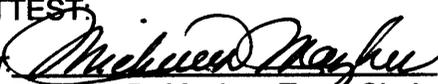
The foregoing Resolution was adopted by the Fort Myers Beach Town Council upon a motion from Councilmember Raymond and seconded by Councilmember List. Upon being put to a vote, the result was as follows:

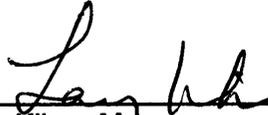
Larry Kiker, Mayor	<u>aye</u>
Herb Acken, Vice Mayor	<u>aye</u>
Tom Babcock, Councilmember	<u>aye</u>
Jo List, Councilmember	<u>aye</u>
Bob Raymond, Councilmember	<u>aye</u>

DULY PASSED AND ENACTED this 18TH day of May, 2009

TOWN OF FORT MYERS BEACH

ATTEST:

By: 
Michelle D. Mayher, Town Clerk

By: 
Larry Kiker, Mayor

Approved as to form by:


Anne Dalton, Town Attorney