

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 09-25

A RESOLUTION TO ADOPT AND LEVY AD VALOREM TAXES WITHIN THE CORPORATE LIMITS OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA FOR THE TAX YEAR 2010, IN THE TENTATIVE AMOUNT OF .8670 MILLS (\$0.867 PER \$1,000) BASED UPON THE ASSESSED VALUE OF NON-EXEMPT REAL AND PERSONAL PROPERTY LOCATED WITHIN THE TOWN LIMITS; PROVIDING AUTHORITY; LEVY OF AD VALOREM TAXES; PROVIDING MANNER OF ASSESSMENT AND COLLECTION; 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, Article VII, Section 9(a) of the Constitution of the State of Florida and Section 166.211, Florida Statutes authorize municipalities to levy ad valorem taxes on non-exempt real and tangible personal property within their corporate limits; and

WHEREAS, Section 200.001(2), Florida Statutes and Section 200.065(2), Florida Statutes, authorize the determination of millage rates by municipalities and establish the methodology for adopting 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, hereby 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, following due notice, on September 9, 2009, the Town Council held the required public hearing and, following public input, adopted a tentative Town ad valorem operating millage rate as set forth below for fiscal year 2010.

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 Millage Rate.

The Town Council does hereby adopt the tentative ad valorem operating millage rate for tax year 2010 at .8187 mills, which is \$0.8187 for each \$1,000 of assessed valuation, less exemptions. The levy of an annual tax for said year is tentatively made. This tentative operating millage rate is equal to the rolled-back rate to the rolled-back rate.

Section 3. Tentative Levy; Assessment and Collection.

The tentative levy of taxes provided for by this Resolution shall be based on the assessed value of all non-exempt real and personal property assessed and established pursuant to law by the Lee County Property Appraiser for the year 2009 and shall be collected as provided by law. When collected, taxes fixed and levied by this resolution shall be used for all lawful purposes for the Fiscal Year beginning October 1, 2009 and ending September 30, 2010, for the Town of Fort Myers Beach, Florida.

Section 4. Meeting to Adopt Final Millage Rate for Fiscal Year 2010

A public meeting and hearing will be held on September 21, 2009 at 6:30 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 2010.

Section 5. 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 Councilmember Raymond and seconded by Councilmember List, and upon being put to a vote, the result was as follows:

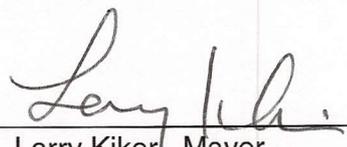
DULY PASSED AND ADOPTED ON THIS 9TH DAY OF SEPTEMBER, 2009.

Larry Kiker, Mayor	aye	Herb Acken, Vice Mayor	nay
Tom Babcock, Councilmember	nay	Jo List, Councilmember	aye
Bob Raymond, Councilmember	aye		

ATTEST:

TOWN OF FORT MYERS BEACH

By:  _____
Michelle Mayher, Town Clerk

By:  _____
Larry Kiker, Mayor

Approved as to legal sufficiency by:

By:  _____
Anne Dalton, Town Attorney