

RESOLUTION NUMBER 12-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ADOPTING THE TENTATIVE OPERATING AD VALOREM MILLAGE RATE FOR THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA; DETERMINING THAT THE PROPOSED OPERATING MILLAGE RATE EXCEEDS ROLLED-BACK RATE; ESTABLISHING THE DATE, TIME AND PLACE FOR HEARINGS TO ADOPT THE FINAL OPERATING AD VALOREM MILLAGE RATE AND THE BUDGET FOR THE FISCAL YEAR 2012/2013; 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, 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, 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 \$2,441,681,000

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. Requirement of Prior Approval by Town Council The tentative ad valorem operating millage rate is hereby adopted at .79 mills. This tentative operating millage rate is less than the rolled-back rate by 3%.

Section 3. Meeting to Adopt Final Millage Rate and Consider Budget for Fiscal Year 2012/2013 Public meetings and hearings will be held on Tuesday, September 4<sup>th</sup>, 2012 at 6:30 pm and on Monday, September 17<sup>th</sup>, 2012 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 and to consider and adopt the Town budget for Fiscal Year 2012/2013 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.

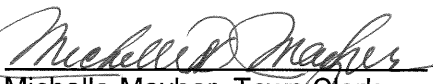
The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Mandel and seconded by Council Member Kosinski, and upon being put to a vote, the result was as follows:

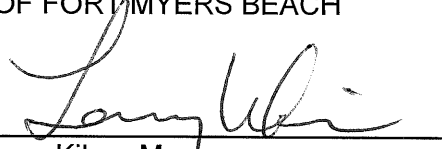
|                             |     |                         |     |
|-----------------------------|-----|-------------------------|-----|
| Larry Kiker, Mayor          | aye | Bob Raymond, Vice Mayor | aye |
| Joe Kosinski, Councilmember | aye | Jo List, Councilmember  | aye |
| Alan Mandel, Councilmember  | aye |                         |     |

DULY PASSED AND ADOPTED ON THIS 18<sup>th</sup> DAY OF June, 2012

ATTEST:

TOWN OF FORT MYERS BEACH

By:   
Michelle Mayher, Town Clerk

by:   
Larry Kiker, Mayor

Approved as to legal sufficiency by:

By:   
Fowler White Boggs