

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20031434

1. REQUESTED MOTION:

ACTION REQUESTED: Authorize Staff to schedule, advertise and conduct a public hearing on Tuesday January 13, 2004, at 5:00 pm, in Chambers, to adopt and certify by resolution, an Amendment to the Residential and Commercial Solid Waste Annual Special Assessment Rolls for fiscal year 2003/2004.

WHY ACTION IS NECESSARY: To add certain residential, multi-family, and commercial properties to the Assessment Roll that were not included in the original Roll certified by the BOCC on September 9, 2003.

WHAT ACTION ACCOMPLISHES: Complies with Lee County Ordinances 00-20 and 96-09, both as amended, Florida Administrative Code and County Administrative Code, Policies and Procedures which provide for the collection of the Solid Waste Special Assessments for Fiscal Year 2003/2004 and supplements the original Roll with properties that were not included in the Roll previously certified.

2. DEPARTMENTAL CATEGORY:
COMMISSION DISTRICT #: CW

C8D

3. MEETING DATE:

12-16-2003

4. AGENDA:

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

5. REQUIREMENT/PURPOSE:

- (Specify)
- STATUTE
 - ORDINANCE 00-20, 96-09
 - ADMIN. CODE
 - OTHER

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER:
- B. DEPARTMENT: Lee County-Public Works
- C. DIVISION/SECTION: Solid Waste Division
- BY: Lindsey Sampson, Solid Waste Director

DATE: 12/2/03

Lindsey Sampson

7. BACKGROUND:

The BOCC adopted by Resolution 03-07-23, the FY2003/2004 Residential and Commercial Solid Waste Collection and Disposal Rates and Annual Special Assessments and MSTU Millage on July 23, 2003. The BOCC certified the Solid Waste Annual Special Assessment Rolls to the Tax Collector on September 9, 2003.

It has recently been discovered that approximately 1500 residential, multi-family, and commercial properties, that received certificates of occupancy during fiscal year 2003, were not included in the updated Assessment Rolls as prepared by the Property Appraiser and presented to the BOCC as stated above.

It is now necessary and appropriate to adopt an amendment to the Solid Waste Special Assessment Rolls such that these properties will be assessed in accordance with County Ordinances. The Solid Waste Division will issue a letter of explanation to each property owner that will be included with a County bill informing the respective property owners as to the reason for the assessment.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL

A DEPARTMENT DIRECTOR	B PURCH. OR CONTRACTS	C HUMAN RESOURCES	D OTHER	E COUNTY ATTORNEY	F BUDGET SERVICES				G COUNTY MANAGER
					OA)	OM	Risk	GC	
<i>J. Menden</i> 12.3.03	<i>N.A.</i>	<i>N.A.</i>	<i>N.A.</i>	<i>[Signature]</i> 12/3/03	<i>[Signature]</i> 12-3-03	<i>[Signature]</i> 12/4/03	<i>[Signature]</i> 12/4/03	<i>[Signature]</i> 12-3-03	<i>J. Menden</i> 12.3.03

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 12/3/03
Time: 12:02 pm
Forwarded To:
City Adm.
12/3/03

RECEIVED BY
COUNTY ADMIN: *PM*
12-3-03
12:00
COUNTY ADMIN
FORWARDED TO:
[Signature]

LEE COUNTY RESOLUTION NO. _____

AMENDMENT NUMBER ONE TO THE LEE COUNTY
SOLID WASTE COLLECTION AND DISPOSAL ANNUAL
ASSESSMENT ROLLS AND MSTU TAX ROLL FOR FY
2003-2004, FOR COLLECTION BY LEE COUNTY.

WHEREAS, the Board of County Commissioners is the governing body in and for Lee County, Florida, a political subdivision and charter county of the State of Florida; and,

WHEREAS, pursuant to the provisions of Lee County Ordinance No. 86-14, as amended and restated by Lee County Ordinances 00-20 and 96-09, both as amended, the Board of County Commissioners of Lee County certified the Residential and Commercial Mandatory Solid Waste Collection and Disposal Annual Special Assessment Roll, Facilities Special Assessment Roll and MSTU Tax Roll to the Lee County Tax Collector for collection of the Annual Solid Waste Collection and Disposal Assessments and MSTU Millage on September 9, 2003; and,

WHEREAS, it is the desire of the Board of County Commissioners on this date to adopt an amendment to the Residential and Commercial Solid Waste Collection and Disposal Annual Special Assessment Roll, Facilities Special Assessment Roll and MSTU Tax Roll for collection of the additional Annual Assessments and MSTU Millage for the period from October 1, 2003, through and including September 30, 2004, such Special Assessments to be collected by Lee County.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF LEE COUNTY, FLORIDA, that:

SECTION ONE:

Amendment Number One to the Residential and Commercial Mandatory Solid Waste Collection and Disposal Annual Special Assessment Roll, and Facilities Assessment Roll, consisting of certain, identified additional Residential, Multi-Family, and Commercial properties, as developed by the Lee County Property Appraiser pursuant to Lee County Resolution No. 03-07-23 (Exhibit A), is hereby official adopted for the collection of the Annual Special Assessments and MSTU Millage by Lee County.

SECTION TWO:

The effective period for the collection of the Special Assessments and MSTU Millage pursuant to the certified Residential and Commercial Assessment Rolls and MSTU Tax Roll, shall be from October 21, 2003, through and including September 30, 2004, and which shall also include new structures added to the Assessment Rolls or MSTU Tax Roll in addition to those as adopted pursuant to this Amendment.

SECTION THREE:

This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote, the vote was as follows:

BOB JANES _____
DOUG ST. CERNY _____
RAY JUDAH _____
ANDREW W. COY _____
JOHN E. ALBION _____

DULY PASSED AND ADOPTED this ____ day of _____, 20__.

ATTEST: CHARLIE GREEN
CLERK OF COURTS

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

LEE COUNTY
NOTICE OF INTENT TO ENACT A COUNTY RESOLUTION

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 13th day of January, 2004, at 5:00 o'clock, p.m., in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider the enactment of a County Resolution pursuant to Chapter 125, Florida Statutes. The title of the proposed County Resolution is as follows:

**CERTIFICATION OF AN AMENDMENT TO THE LEE
COUNTY SOLID WASTE COLLECTION AND
DISPOSAL ANNUAL ASSESSMENT ROLLS AND
MSTU TAX ROLL FOR FY 2003-2004, FOR
COLLECTION BY LEE COUNTY.**

1. Copies of this Notice and the proposed Resolution are on file in the Minutes Office of the Clerk of Courts of Lee County. The public may inspect or copy the Resolution during regular business hours at the Office of Public Resources. The Minutes Office and Public Resources are located in the Courthouse Administration Building, 2115 Second Street, Fort Myers, Florida. Public Resources is located on the first floor and the Minutes Office is located on the second floor of the Courthouse Administration Building.
2. Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed Resolution.
3. Anyone wishing to appeal the decision(s) made by the Board with respect

to any matter considered at this meeting, will need a record of the proceedings for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

4. The Resolution shall take effect immediately upon its adoption by the Board of County Commissioners at the public hearing.

5. If you have a disability that will require special assistance or accommodations for your attendance at the public hearing, please call the Lee County Division of Public Resources at 335-2269 for information.

PLEASE GOVERN YOURSELF ACCORDINGLY.

The text of this Notice is in conformance with Section 125.66, Florida Statutes (2003), and other relevant sections of Florida law.

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Charlie Green, Ex-Officio Clerk
to the Board of County Commissioners
of Lee County, Florida

APPROVED AS TO FORM:

By:  _____
Office of the County Attorney

Ad Size: 2 x 5

Publishing Dates: 12/30/03 & 1/6/04