

**Lee County Board of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20040897

1. REQUESTED MOTION:

ACTION REQUESTED: 1) Approve assessment for Gasparilla Island [Boca Grande] Residential Solid Waste Collection and Disposal MSBU; and approve millage rate for Cape Coral disposal facilities MSTU for Fiscal Year 2004-2005; and, 2) Adopt and certify by Resolution, the Residential and Commercial Mandatory Solid Waste Collection and Disposal Annual Special Assessment Roll, Disposal Facilities Special Assessment Roll, and MSTU Tax Roll to the Lee County Tax Collector for collection for Fiscal Year 2004-2005.

WHY ACTION IS NECESSARY: Lee County Ordinances and Florida Statutes require adoption and certification by Resolution of the Annual Special Assessment Roll Facilities Special Assessment Roll, and MSTU Tax Roll to the Tax Collector for collection.

WHAT ACTION ACCOMPLISHES: Complies with Lee County Ordinances, Florida Administrative Code and Florida Statutes which provide for the uniform method of collection for non-ad valorem special assessments and MSTU millage by the Tax Collector.

2. DEPARTMENTAL CATEGORY:

COMMISSION DISTRICT # 5:00 #7

3. MEETING DATE:

08-24-2004

4. AGENDA:

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

5. REQUIREMENT/PURPOSE:

(Specify)

- STATUTE 197.3632
- ORDINANCE 00-20, 96-09
- ADMIN. CODE FAC R12D-18.006
- OTHER DR-408A

6. REQUESTOR OF INFORMATION:

- A. COMMISSIONER
- B. DEPARTMENT Public Works
- C. DIVISION Solid Waste

BY: Lindsey Sampson
Lindsey Sampson, Director
Solid Waste Division

7. BACKGROUND:

June 22, 2004, - Board of County Commissioners adopted Resolution No. 04-06-46 approving the Residential and Commercial Solid Waste Collection and Disposal Rates for Fiscal Year 2004-2005. The adopted Resolution provided only estimates for the Gasparilla Island [Boca Grande] Residential Solid Waste Collection and Disposal MSBU assessment; and Cape Coral Disposal Facilities MSTU millage. Estimated assessment for Gasparilla Island [Boca Grande] was \$198.33; Final assessment is \$195.45. Estimated millage rate for Cape Coral MSTU was 0.2040 mills; Final millage rate is 0.1978 mills.

Lee County Ordinances 00-20 and 96-09, both as amended, Fla. Admin. Code R. 12D-18.006, and Section 197.3632, Florida Statutes (2003) require adoption and certification by Resolution, the Residential and Commercial Solid Waste Annual Assessment Roll, Disposal Facilities Special Assessment Roll, and MSTU Tax roll for collection by the Lee County Tax Collector for Fiscal Year 2004-2005.

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

| A Department Director | B Purchasing or Contracts | C Human Resources | D Other | E County Attorney | F Budget Services | | | | G County Manager |
|-----------------------------|------------------------------------|-------------------------|------------|-------------------------|----------------------|---------|---------|--------|--------------------------|
| <u>Stander</u> 8.4.04 | N/A | N/A | N/A | | OA | OM | RISK | GC | <u>Stander</u> 8.4.04 |
| | | | | | 8/9/04 | 8/10/04 | 8/10/04 | 8/9/04 | |

10. COMMISSION ACTION:

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty
Date: 8/9/04
Time: 11:15
Forwarded To:
Admin files

RECEIVED BY
COUNTY ADMIN.
8/9/04
11:30 am
COUNTY ADMIN.
FORWARDED TO:
8/11/04

RESOLUTION NO. _____

CERTIFICATION OF THE LEE COUNTY SOLID WASTE COLLECTION AND DISPOSAL ANNUAL ASSESSMENT ROLLS AND MSTU TAX ROLL FOR FY 2004-2005, FOR COLLECTION BY THE LEE COUNTY TAX COLLECTOR PURSUANT TO THE UNIFORM METHOD OF COLLECTION FOR NON-AD VALOREM SPECIAL ASSESSMENTS UNDER SECTION 197.3632, FLORIDA STATUTES (2003); FINALIZATION OF THE CAPE CORAL DISPOSAL FACILITIES MSTU MILLAGE AND THE GASPARILLA ISLAND [BOCA GRANDE] RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL MSBU ASSESSMENT FOR FISCAL YEAR 2004-2005.

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

WHEREAS, pursuant to the provisions of Lee County Ordinance 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 is required to certify the Residential and Commercial Mandatory Solid Waste Collection and Disposal Annual Special Assessment Roll, Disposal 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; and,

WHEREAS, it is the desire of the Board of County Commissioners on this date to adopt and certify the Residential and Commercial 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 Assessments and MSTU Millage for the period from October 1, 2004, through and including September 30, 2005, such Special Assessments to be collected by the Lee County Tax Collector pursuant to the Uniform Method for Collection of Non-Ad Valorem

Special Assessments under Section 197.3632, Florida Statutes (2003); and,

WHEREAS, the Board of County Commissioners has previously approved Lee County Resolution No. 04-06-46 estimating the Cape Coral Disposal Facilities MSTU millage and the Gasparilla Island [Boca Grande] Residential Solid Waste Collection and Disposal MSBU assessment for Fiscal Year 2004-2005; and,

WHEREAS, it is the desire of the Board of County Commissioners on this date to establish the final millage rate for the Cape Coral Disposal Facilities MSTU and to establish the final assessment for the Gasparilla Island [Boca Grande] Residential Solid Waste Collection and Disposal MSBU for Fiscal Year 2004-2005.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONER OF LEE COUNTY, FLORIDA THAT:

SECTION ONE

The Residential and Commercial Mandatory Solid Waste Collection and Disposal Annual Special Assessment Roll, Disposal Facilities Assessment Roll, and MSTU Tax Roll as developed by the Lee County Property Appraiser pursuant to Lee County Resolution No. 04-06-46 are hereby officially adopted and certified to the Lee County Tax Collector for the collection of the Annual Special Assessments and MSTU Millage, pursuant to the Uniform Method of Collection for Non-Ad Valorem Special Assessments under Section 197.3632, Florida Statutes (2003).

SECTION TWO

The annual special assessment rate per unit for the Lee County Mandatory Garbage and Solid Waste Collection Service Area 6, Gasparilla Island [Boca Grande] is hereby adopted as \$195.45 per residential unit for Fiscal Year 2004-2005, and the annual Cape Coral MSTU millage rate is hereby adopted as 0.1978 mills for Fiscal Year 2004-2005.

SECTION THREE

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 1, 2004, through and including September 30, 2005, and which shall also include all new certified structures added to the Assessment Rolls or MSTU Tax Roll during that period.

SECTION FOUR

This certification shall be accomplished by this Resolution and Florida Department of Revenue Form DR-408A (executed original attached hereto as Exhibit "A"), pursuant to Fla. Admin. Code R. 12D-18.006 (January 2004).

SECTION FIVE

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

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SECTION SIX

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

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

DULY PASSED AND ADOPTED THIS _____ day of _____, 2004.

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 **24th** day of **August, 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 THE LEE COUNTY SOLID WASTE COLLECTION AND DISPOSAL ANNUAL ASSESSMENT ROLLS AND MSTU TAX ROLL FOR FY 2004-2005, FOR COLLECTION BY THE LEE COUNTY TAX COLLECTOR PURSUANT TO THE UNIFORM METHOD OF COLLECTION FOR NON-AD VALOREM SPECIAL ASSESSMENTS UNDER SECTION 197.3632, FLORIDA STATUTES (2003); FINALIZATION OF THE CAPE CORAL DISPOSAL FACILITIES MSTU MILLAGE AND THE GASPARILLA ISLAND [BOCA GRANDE] RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL MSBU ASSESSMENT FOR FISCAL YEAR 2004-2005.

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.

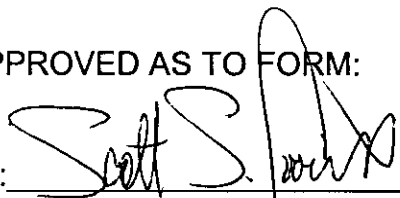
PLEASE GOVERN YOURSELF ACCORDINGLY.

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: August 10th & August 17th