

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 2005-0436

1. ACTION REQUESTED/PURPOSE: Approval of an Ordinance to create the Mid-Metro Industrial Park Operations and Maintenance Municipal Service Taxing Unit.

2. WHAT ACTION ACCOMPLISHES: Allows staff to set up a Municipal Service Taxing Unit and coordinate the collection of funds and the maintenance of the perimeter drainage system in the Mid-Metro Industrial Park.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: 06

5:00 #3

5. Meeting Date:

05-10-2005

6. Agenda:

- Consent
- Administrative
- Appeals
- Public Walk-On

7. Requirement/Purpose: (specify)

- Statute 125.q
- Ordinance
- Admin. Code 3-15
- Other

8. Request Initiated:

Commissioner _____
Department _____
Division Public Resources/
MSTBU

By: Denise Sabatini

DS 4/15

9. Background: Mid-Metro Industrial Park is located in Section 07, Township 45, Range 25 of Lee County. Property Owners have submitted the required petitions (51%) requesting the Board of County Commissioners to create an Operations and Management Municipal Services Taxing Unit to maintain the perimeter drainage area which has been dedicated for public use. The estimated assessment for the budget year 2006 - 2007 is \$8,825.00 and consists of 31 parcels. Service may commence earlier pending receiving private funds. The assessment methodology will be determined by a millage rate.

Exhibit

- "A": Illustrated Map of Drainage Area
- "B": Legal Description
- "C": Proof of Publications
- "D": Notice of Intent
- "E": Tentative Assessment Roll

Attachments

- "A": Statistical Sheet
- "B": Letter to Property Owner

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>[Signature]</i>					<i>[Signature]</i> 4/7/05	<i>[Signature]</i> 4/7/05	<i>[Signature]</i> 4/7/05	<i>[Signature]</i> 4/7/05	<i>[Signature]</i> 4-7-05

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by CoAtty
Date: 4/7/05
Time: 8:40
Forwarded To: <i>[Signature]</i>

RECEIVED BY COUNTY ADMIN: 4-7-05 <i>[Signature]</i>
9:20
COUNTY ADMIN FORWARDED TO: 4/7/05 <i>[Signature]</i>

CA
PW

LEE COUNTY ORDINANCE NO. ____

AN ORDINANCE CREATING THE MID-METRO INDUSTRIAL PARK OPERATION AND MAINTENANCE SPECIAL IMPROVEMENT UNIT; DEFINING THE TERRITORY TO BE INCLUDED; ESTABLISHING THE BOARD OF COUNTY COMMISSIONERS AS THE GOVERNING BODY OF THE UNIT; PROVIDING FOR THE TYPE(S) OF SERVICE WHICH MAY BE RENDERED; PROVIDING FOR THE POWER TO LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR TAXES WITHIN THE UNIT; PROVIDING FOR A FUND; PROVIDING FOR REVERTER; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lee County held a public hearing to establish this municipal service taxing unit; and

WHEREAS, all persons having an interest in the municipal service taxing unit and the public at large were given an opportunity to be heard at such hearing.

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

SECTION 1.

CREATION OF THE UNIT, PURPOSE AND BOUNDARIES

Pursuant to the powers granted to the Board of County Commissioners of Lee County, Florida, hereinafter referred to as the "Board", by the Constitution of the State of Florida

and the Florida Statutes, in particular, Section 125.01, Florida Statute, the Board hereby creates a municipal service taxing unit to be known as the Mid-Metro Industrial Park Operation and Maintenance Special Improvement Unit. Unless expressly mandated by State Statute, any and all procedures, administrative or otherwise, which were required to be followed prior to the enactment of this ordinance shall be waived or considered directory in nature and noncompliance with the procedure shall have no effect upon the validity of this ordinance, constitutional or otherwise.

The purpose of the Mid-Metro Industrial Park Operation and Maintenance Special Improvement Unit shall be to: 1) provide operations and maintenance for perimeter drainage as illustrated in "Exhibit A", to include weed control, annual mowing, and weir maintenance as provided by funding from the annual budget of the Municipal Service Taxing Unit. The boundaries of the Unit shall be as follows:

SEE ATTACHED LEGAL DESCRIPTION WHICH IS LABELED
"EXHIBIT "B" HEREBY INCORPORATED BY REFERENCE.

SECTION 2.

THE GOVERNING BODY

The Board of County Commissioners shall be the governing body of the Mid-Metro Industrial Park Operation and Maintenance Special Improvement Unit created pursuant to this Ordinance. The Board of County Commissioners may appoint an Advisory Committee, composed of five (5) property owners within the boundaries of the Municipal Service Taxing Unit. The method of appointment and term of office shall be set by the Board of County Commissioners.

SECTION 3.

THE GENERAL POWERS

The governing body shall have all the powers necessary or convenient to carry out the purpose of this ordinance and such additional rights and powers as are provided by the Constitution of the State of Florida and the laws of the State of Florida as granted to counties. The governing body shall also have all powers not otherwise prohibited by law and these powers shall include but are not limited to the power to:

1. Sue or be sued, complain or defend in the name of the County.
In any and all courts or administrative agencies;
2. Acquire by grant, purchase, gift, devise, exchange or in any other lawful manner any property, real or personal, or any estate or interest therein upon such terms and conditions as the governing body shall determine;
3. Enter into contracts with any public, private or municipal firm, person or corporation for the furnishing of the improvements within the boundaries of this Unit:
4. Levy and collect special charges, special assessments, or taxes within the Unit:
5. Borrow and expend money and issue bonds, revenue certificates, and other obligations of indebtedness in such manner and subject to such limitations as may be provided by law;
6. Levy and collect without referendum ad valorem taxes for the providing of municipal services within the Unit; and
7. Adopt rules and regulations governing the Unit.

SECTION 4.

There is hereby created a fund to be known as the “Mid-Metro Industrial Park Operation and Maintenance Special Improvement Unit” from which the costs of specified municipal service may be paid, either in whole or in part. This fund shall contain all special charges, special assessments, taxes, interest, and other monies collected or otherwise obtained pursuant to this ordinance or any subsequent resolution thereto.

SECTION 5.

LEVYING SPECIAL ASSESSMENTS; LIENS; ENFORCEABILITY

A) Any special assessment levied pursuant to this ordinance shall be levied only after of Notice of Intent to Adopt a proposed Resolution to Assess shall be published in a newspaper of general circulation within Lee County at least ten (10) days prior to the public hearing on the proposed resolution.

The method of apportioning the special assessment among the parcels of land within the unit shall be based upon a finding by the Board that the chosen method of apportionment is a fair and reasonable distribution of the cost of the municipal service improvement in proportion to the special benefit received by each parcel of land. The assessment roll may be amended at the public hearing.

B) The special assessment shall be due and payable and interest and penalties for late payment shall accrue thereon from such date as the Board shall provide.

C) An assessment roll shall be prepared and shall be attached to the proposed ordinance. This assessment roll shall consist of all record legal titleholders of parcels of land within the boundaries of the unit and shall state the apportioned assessment for that parcel of land.

D) The assessment made by the Board as provided for herein shall constitute a lien against all parcels of land so assessed. Upon failure of any property owner to pay any apportioned assessment when due and payable, the Board shall cause to be brought the necessary legal proceedings to enforce payment thereof with all accrued interest and penalties, together with all legal costs incurred including reasonable attorney's fees, to be assessed as part of the cost. In that event of a default on payment of any assessment when due and payable or any accrued interest on the assessment, the entire assessment with interest and penalties shall immediately become due and payable and subject to foreclosure. The foreclosure proceedings may be prosecuted to a sale and conveyance of the property involved in said proceedings as now provided by law and suits to foreclose mortgages; or, in the alternative, said proceedings may be instituted and prosecuted by any other lawful process or procedure then available for the enforcement of the lien pursuant to any general law of the State relative to the enforcement of the municipal lien. Enforcement of this lien through foreclosure proceedings or otherwise shall not be construed as the Board's exclusive remedy.

The Board may prosecute any claim, legal or equitable, which it may have against the owner of the special assessed parcel of land who has defaulted on his payment of the assessment.

(E) The property owner, whose property has been assessed, shall have the right to petition the Board for correction of any inaccuracy in the assessment or its apportionment within ten (10) days of the adoption of the Resolution to Assess. After the lapse of 10 (ten) days from the date of the adoption of the Resolution to Assess, including amendments thereto, all assessments made shall be deemed conclusive unless the property owner has filed the petition for administrative review. Failure to exercise this

right for an administrative remedy within the time permitted shall be deemed a waiver of the property owner's right to object to the assessment or its apportionment

(F) At the Board's direction the Uniform Collection for Ad Valorem Special Assessments will be used for the collection of the above described special assessment.

SECTION 6.

LEVYING AD VALOREM TAXES

Ad valorem taxes levied pursuant to this ordinance shall be levied and a budget prepared and adopted by this Board in the same manner as the Board prepares and adopts annual County budgets and levied taxes as provided by law.

SECTION 7.

REVERTER

By the creation of this MSTU, the Mid-Metro Industrial Park Operation and Maintenance Special Improvement Unit, consisting of the effected properties within the Unit, shall be the responsible entity for the providing of the operations and maintenance of the perimeter drainage of the Unit.

If the MSTU created under the provisions of this Ordinance is ever terminated or ceased for any reason, the responsibility for the operations and maintenance of the perimeter drainage of the Unit shall revert automatically to the individual property owners within the Mid-Metro Industrial Park Operation and Maintenance Special Improvement Unit in the same form and manner as existed prior to the creation of the MSTU pursuant to this Ordinance.

SECTION 8.

SEVERABILITY

The provisions of this ordinance are severable and it is the intention to confer the whole or any part of the powers herein provided for. If any of the provisions of this ordinance shall be held unconstitutional by any court or competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this ordinance. It is hereby declared to be the legislative intent that this ordinance would have been adopted had such unconstitutional provision not been included therein.

SECTION 9.

ALTERNATIVE OR SUPPLEMENTAL AUTHORITY

This ordinance shall not be construed as repealing or superseding any other ordinance or law and is to be construed as alternative or supplemental authority for the exercise of powers provided for herein.

SECTION 10.

EFFECTIVE DATE

This Ordinance shall take effect upon filing in the Office of the Secretary of State, State of Florida.

THE FOREGOING ORDINANCE was offered by Commissioner _____ who moved it to adoption. The motion was seconded by Commissioner _____ and, upon being put to a vote, the vote was as follows:

DOUGLAS R. ST. CERNY	_____
ROBERT JANES	_____
RAY JUDAH	_____
TAMMY HALL	_____
JOHN ALBION	_____

DONE AND ADOPTED THIS 10th DAY OF May, 2005

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

Exhibit "A"

Mid-Metro Industrial Park

Illustrated Map of Drainage Area

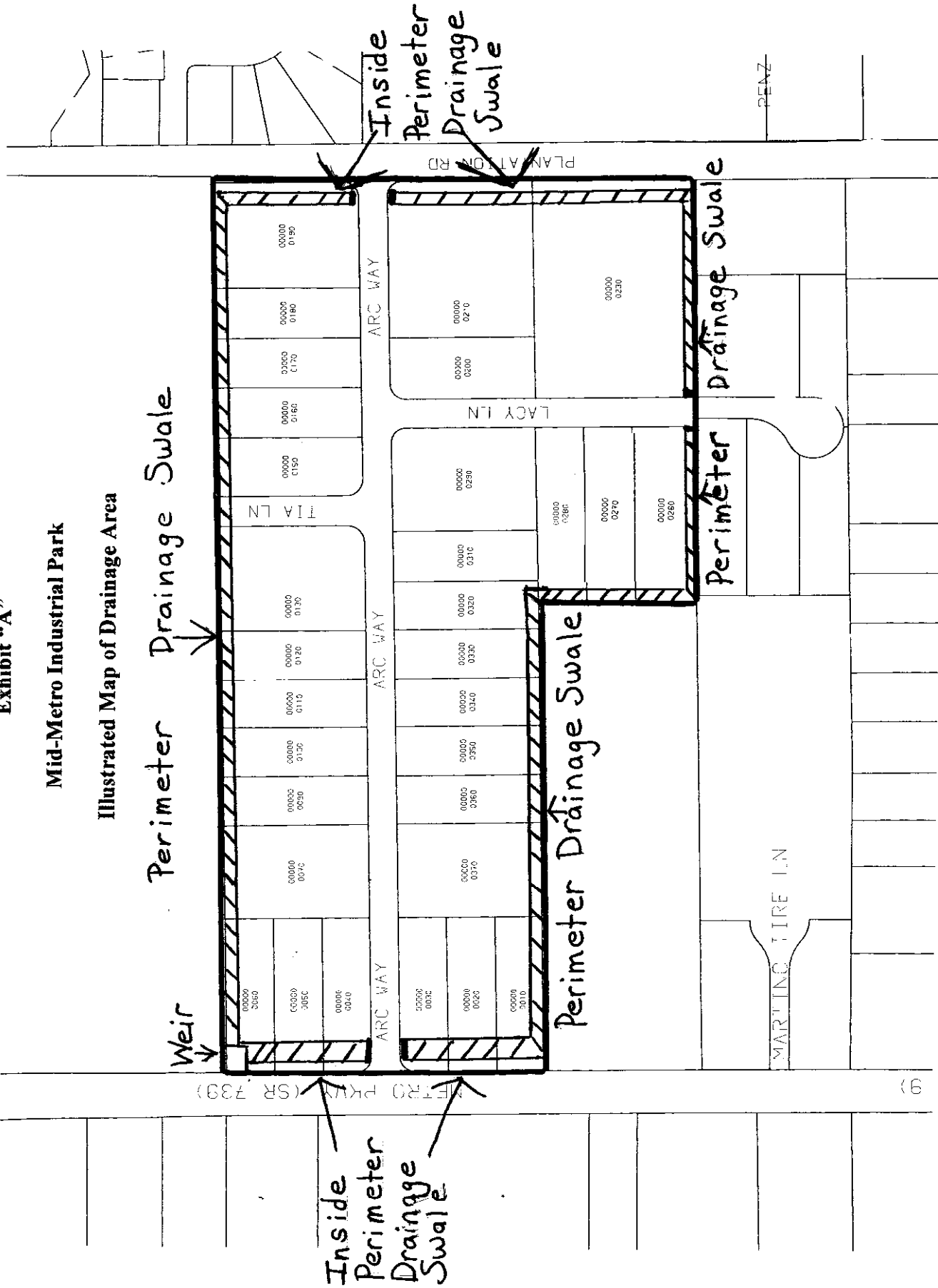


Exhibit "B"

Legal Description

As described in:

Plat book 37, Page 71: Lots 1 through 38

NEWS-PRESS

Published every morning - Daily and Sunday

Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared **Kathy Allebach** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a **Display** in the matter of **Notice of Intent to Create a Municipal Service Taxing Unit** in the court was published in said newspaper in the issues of **April 19, 2005**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Kathy Allebach

Sworn to and subscribed before me this

19th day of April 2005 by

Kathy Allebach

personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public *Gladys Vanderbeck*

Print Name _____

My commission expires



LEE COUNTY
SOUTHWEST FLORIDA

NOTICE OF INTENT TO CREATE A MUNICIPAL SERVICE TAXING UNIT

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 10th day of May, 2005, at 5:00 P.M. in the County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider the creation of a County Ordinance pursuant to Article VIII, Section 1, of the State Constitution, Chapter 125, Florida Statutes. The title of the proposed County Ordinance is as follows:

AN ORDINANCE CREATING THE MID-METRO INDUSTRIAL PARK OPERATION AND MAINTENANCE SPECIAL IMPROVEMENT UNIT; DEFINING THE TERRITORY TO BE INCLUDED; ESTABLISHING THE BOARD OF COUNTY COMMISSIONERS AS THE GOVERNING BODY OF THE UNIT; PROVIDING FOR THE TYPES OF SERVICE WHICH MAY BE RENDERED; PROVIDING FOR THE POWER TO LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR TAXES WITHIN THE UNIT; PROVIDING FOR A FUND; PROVIDING FOR REVERTER; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the ordinance are on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Department and the Office of Public Resources both located in the Courthouse Office Building, 2115 Second Street, Fort Myers, Florida.

The area to be encompassed by the unit is described in the map below. The nature of the operation and maintenance Municipal Service Taxing Unit consists of maintenance of the perimeter drainage system for the unit. The estimated cost for the 2004 - 2007 fiscal year is \$8,825.00. Service may commence earlier pending receiving private funds. This unit consists of 31 parcels. The method of assessment will be a millage rate.

Interested parties may appear at the meeting in person or through counsel and be heard with respect to the adoption of the proposed ordinance. All objections to the ordinance amending the unit shall be in writing and filed with the County MASTBU Services on or before the time of the adjourned time of the hearing. Upon consideration of the objection and the ordinance, the Board shall consider the ordinance as it deems appropriate or necessary. The adoption of the ordinance shall be the final adjudication of the issues presented thereby unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action on the ordinance.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County Commission at (239) 335-2259 at least seven days prior to the date of the hearing.

If anyone decides to appeal a decision made by the Board, with respect to any matter considered at this meeting, a record of the proceeding will be needed for the appeal. Whoever appeals may need a verbatim record of the proceeding, including the testimony and evidence upon which the appeal is to be based.

The ordinance shall take effect immediately upon its adoption by the Board of County Commissioners.

The text of this Notice is pursuant to and in conformance with Section 125.66 Florida Statutes 2004.

PO: Sakulski
REF: DD41905-127

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

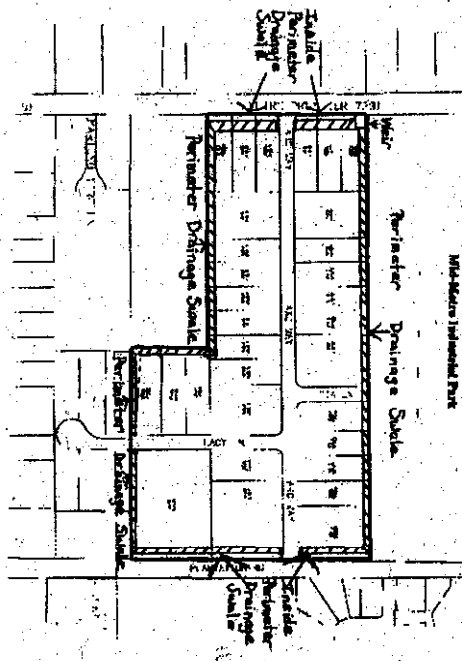


Exhibit "C"

EXHIBIT "D"

NOTICE OF INTENT TO CREATE A MUNICIPAL SERVICE TAXING UNIT

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that on Tuesday, the 10th day of May, 2005, at 5:00 P.M. in the County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider the creation of a County Ordinance pursuant to Article VIII, Section 1, of the State Constitution, Chapter 125, Florida Statutes. The title of the proposed County Ordinance is as follows:

AN ORDINANCE CREATING THE MID-METRO INDUSTRIAL PARK OPERATION AND MAINTENANCE SPECIAL IMPROVEMENT UNIT; DEFINING THE TERRITORY TO BE INCLUDED; ESTABLISHING THE BOARD OF COUNTY COMMISSIONERS AS THE GOVERNING BODY OF THE UNIT; PROVIDING FOR THE TYPE(S) OF SERVICE WHICH MAY BE RENDERED; PROVIDING FOR THE POWER TO LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR TAXES WITHIN THE UNIT; PROVIDING FOR A FUND; PROVIDING FOR REVERTER; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the ordinance are on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Department and the Office of Public Resources both located in the Courthouse Office Building, 2115 Second Street, Fort Myers, Florida.

The area to be encompassed by the unit is described in the map below. The nature of the operation and maintenance Municipal Service Taxing Unit consists of maintenance of the perimeter drainage system for the unit. The estimated cost for the 2006 – 2007 fiscal year is \$8,825.00. Service may commence earlier pending receiving private funds. This unit consists of 31 parcels. The method of assessment will be a millage rate.

Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed ordinance. All objections to the ordinance amending the unit shall be in writing and filed with the County MSTBU Services on or before the time or the adjourned time of the hearing. Upon consideration of the objection and the ordinance, the Board shall consider the ordinance as it deems appropriate or necessary. The adoption of the ordinance shall be the final adjudication of the issues presented thereby unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Board action on the ordinance.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the County

Commission at (239) 335-2259 at least seven days prior to the date of the hearing.

If anyone decides to appeal a decision made by the Board, with respect to any matter considered at this meeting, a record of the proceeding will be needed for the appeal. Whoever appeals may need a verbatim record of the proceeding, including the testimony and evidence upon which the appeal is to be based.

The ordinance shall take effect immediately upon its adoption by the Board of County Commissioners.

The text of this Notice is pursuant to and in conformance with Section 125.66 Florida Statutes 2004.

**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: _____
Assistant County Attorney

P.O. # Direct Voucher 586663

PUBLISHING DATE: 04/19/05

SIZE: 2 x 12 Display Ad

Mid-Metro Industrial Park

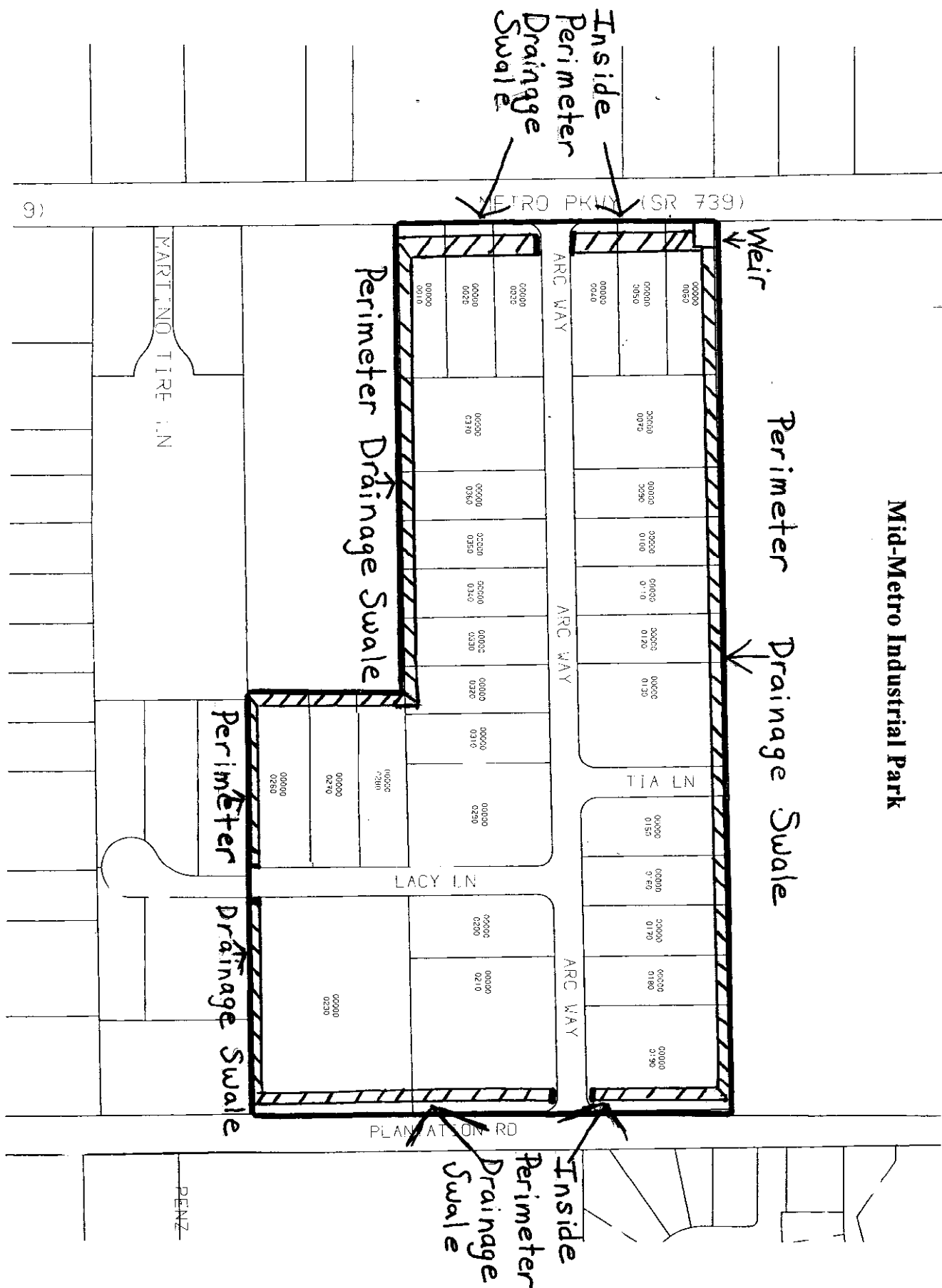


EXHIBIT "E"

Mid-Metro Industrial Park Assessment Roll

STRAP	OWNER NAME	SITE ADDRESS	CITY	ZIP
07452503000000260	ANDREWS THEODORE J + ORPA H TR	11840 LACY LN	FORT MYERS	33912
07452503000000020	HOLLAND DRIVE LLC	11771 METRO PKWY	FORT MYERS	33912
07452503000000010	FLORIDA AIRGAS INC	11791 METRO PKWY	FORT MYERS	33912
07452503000000230	FLORIDA POWER + LIGHT CO	11801 LACY LN	FORT MYERS	33912
07452503000000280	LSW PARTNERS LLP	11800 LACY LN	FORT MYERS	33912
07452503000000270	CURRY VICTOR L TR + GAIL R TR	11820 LACY LN	FORT MYERS	33912
07452503000000040	SW FLORIDA REAL ESTATE CO LLC	11741 METRO PKWY	FORT MYERS	33912
07452503000000090	FRONT STREET OF FLORIDA LLC	6241 ARC WAY	FORT MYERS	33912
07452503000000210	SAX WILLIAM L TR	6430 ARC WAY	FORT MYERS	33912
07452503000000200	SW FLORIDA REAL ESTATE CO LLC	6410 ARC WAY	FORT MYERS	33912
07452503000000070	CRAWFORD JAMES D TR	6201 ARC WAY	FORT MYERS	33912
07452503000000060	AMERICAN TILE DISTRIBUTORS	11701 METRO PKWY	FORT MYERS	33912
07452503000000290	DILLON J M + CHRISTINE A COTRS	6360 ARC WAY	FORT MYERS	33912
07452503000000310	METRO/HOLLAND LLC	6340 ARC WAY	FORT MYERS	33912
07452503000000320	SHEA JACK E + VIRGINIA G TR	6320 ARC WAY	FORT MYERS	33912
07452503000000330	TANLER FREDERICK A TR	6300 ARC WAY	FORT MYERS	33912
07452503000000340	LOUWERS PAUL + SHERRY	6280 ARC WAY	FORT MYERS	33912
07452503000000350	K + L PROPERTIES PARTNERSHIP	6260 ARC WAY	FORT MYERS	33912
07452503000000360	HERD ENTERPRISES INC	6240 ARC WAY	FORT MYERS	33912
07452503000000370	DKJ CO +	6220 ARC WAY	FORT MYERS	33912
07452503000000030	BURKS ROGER	11751 METRO PKWY	FORT MYERS	33912
07452503000000050	SHEA JACK E + VIRGINIA G TR	11721 METRO PKWY	FORT MYERS	33912
07452503000000190	FERNANDEZ JULIAN JR + PURY	6451 ARC WAY	FORT MYERS	33912
07452503000000180	PRO 4 PROPERTIES LLC	6431 ARC WAY	FORT MYERS	33912
07452503000000170	HOLLAND DRIVE LLC	6411 ARC WAY	FORT MYERS	33912
07452503000000160	SCHMITT RONALD M	6391 ARC WAY	FORT MYERS	33912
07452503000000150	ESTEMED PROPERTIES +	6371 ARC WAY	FORT MYERS	33912
07452503000000130	CONTE ENTERPRISES LTD	6321/6341 ARC WAY	FORT MYERS	33912
07452503000000120	GERKE GERARD + LINDA	6301 ARC WAY	FORT MYERS	33912
07452503000000110	WHOLE EARTH HOLDING CO	6281 ARC WAY	FORT MYERS	33912
07452503000000100	TURBEVILLE LARRY R TR 1/2 INT+	6261 ARC WAY	FORT MYERS	33912

ATTACHMENT "A"

STATISTICAL REPORT

MSTU Mid-Metro Industrial Park
TYPE OF OPERATION AND MAINTENANCE Drainage Maintenance
LOCATION OF DISTRICT: Mid-Metro Industrial Park
METHOD OF PAYMENT: Millage Rate

FORMAL PETITION RESULTS

	Number	%
Total # of Parcels	31	100%
Required Number of Signatures	16	52%
Actual Number of Notarized Signatures	17	55%

April 19, 2005

Dear Property Owner:

Notice is hereby given that a Public Hearing will be held by the Board of County Commissioners at the Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, on May 10th 2005, at 5 P.M., to consider adopting an Ordinance to create a Municipal Service Taxing Unit for Mid-Metro Industrial Park. The title of the Ordinance is as follows:

AN ORDINANCE CREATING THE MID-METRO INDUSTRIAL PARK OPERATION AND MAINTENANCE SPECIAL IMPROVEMENT UNIT; DEFINING THE TERRITORY TO BE INCLUDED; ESTABLISHING THE BOARD OF COUNTY COMMISSIONERS AS THE GOVERNING BODY OF THE UNIT; PROVIDING FOR THE TYPE(S) OF SERVICE WHICH MAY BE RENDERED; PROVIDING FOR THE POWER TO LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR TAXES WITHIN THE UNIT; PROVIDING FOR A FUND; PROVIDING FOR REVERTER; SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A copy of the proposed ordinance is on file with the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Department on 2115 Second Street and the Office of Public Resources located in the Lee County Administration Building, 2115 Second Street, Fort Myers, Florida.

This Public Hearing is an opportunity for you to express your opinion or you may wish to write a letter to the sender at P. O. Box 398, Fort Myers, Florida 33902. All correspondence received within twenty (20) days prior to the Public Hearing will become a part of the Public Record. Interested parties may appear at the meeting in person or through counsel, and be heard with respect to the adoption of the proposed County Ordinance. If anyone decides to appeal a decision made by the Board, with respect to any matter considered at this meeting, a record of the proceeding would be needed for the appeal. Whoever appeals may need to insure that a verbatim record of the proceeding is made, which, the record must include the testimony and evidence upon which any such appeal is to be based.

The purpose of the Mid-Metro Industrial Park OPERATION AND MAINTENANCE MUNICIPAL SERVICE TAXING UNIT is to provide weir maintenance, weed control four times a year, and annual mowing for the perimeter drainage. The Board of County Commissioners may appoint a five member Advisory Committee to work with County staff to determine your budget each year. The meetings will be held in public and your input will assist the Committee in establishing the level of service you wish to present to the Board of County Commissioners during the annual budget process. An MSTU designee will determine the budget in the event that a committee is not formed.

The estimated cost for the 2006-2007 fiscal year is \$8,825.00. Service may commence earlier pending receiving private funds.

Sincerely,

Denise Sabatini
MSTBU Coordinator