

RESOLUTION NO. 07- 72

A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA TO SUPPORT APPLICATION TO COLLIER COUNTY FOR ADDITIONAL T-GROINS FOR HIDEAWAY BEACH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 21, 2004 the City of Marco Island entered into an Interlocal Agreement (the "Agreement"), with the Board of County Commissioner of Collier County Florida, (the "County"), whereby the County agreed to fund, using Tourist Development Taxes, construction of permanent erosion control structures known as T-groins to prevent beach erosion along the northern boundary of the City, and

WHEREAS, the Agreement requires prior approval of the County for T-groin costs in excess of \$2.488 million dollars; and

WHEREAS, by Ordinance 2004-05 the City created the Hideaway Beach District, a dependent special taxing district of the City, ("the District"), and the qualified voters of the District subsequently approved a tax levy for the purpose of funding the replacement of sand on the northern tip of the City on the beach area at Hideaway Beach following construction of the T-groins; and

WHEREAS, protection of the beach at northern tip of the City protects all of the other beaches of the City to the south; and

WHEREAS, a number of tourism-related businesses located in the City as well as individual boaters rely on and use the beaches at Hideaway Beach on a regular basis with boat tours for shelling, wildlife, and other recreational pursuits; and

WHEREAS, the T-groins constructed by the County have had a beneficial effect on portions of the beach at Hideaway Beach, however severe erosion has occurred where no T-groins were constructed by the County in areas once protected by the now disintegrated Coconut Island; and

WHEREAS, the County's consulting coastal engineers have recommended construction of additional T-groins at an estimated cost of \$2,350,000; and

WHEREAS, the severe erosion on the beach at Hideaway Beach now threatens to erode away Royal Marco Way, a private roadway, that is the only access to more than three hundred (300) homes on the northern tip of the City; and

WHEREAS, the potential for a breach and failure of Royal Marco Way poses a hazard and an emergency threat to the public health, safety and welfare of the City.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Marco Island, Florida:

1. A valid public safety emergency is hereby certified and declared regarding the severe erosion threatening Royal Marco Way and those persons who are dependent upon this roadway for their sole access and sole access for police, fire and other emergency services to more than three hundred (300) homes.
2. The City finds that the beaches of Hideaway Beach on the northern tip of the City are public beaches that are available, accessible and used by the public including tourists staying in hotels and renting dwelling units for less than six (6) months periods who pay Tourist Development Taxes to the County.
3. The City authorizes, an application to the County and requests the County to utilize Tourist Development Taxes, in the approximate amount of \$2,350,000 to fund the installation of additional T-groins to protect the beaches on the northern tip of the City, which protect the rest of the beaches in the City south of the Hideaway Beach area, all of which beaches are essential to tourism and the economy of the City.
4. The City requests that the County file any required applications for modifications to the existing permit, to authorize construction of additional T-groins and placement of additional sand on the northern tip of the City at Hideaway Beach.

Effective Date. This resolution shall take effect immediately upon approval.

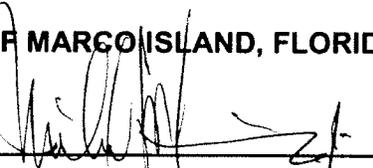
Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida this 3rd day of December, 2007.

ATTEST:



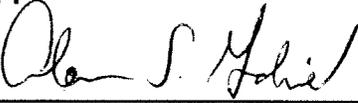
Laura Litzan, City Clerk

CITY OF MARCO ISLAND, FLORIDA

By: 

Michael F. Minozzi, Jr., Chairman

Approved as to Form:



Alan L. Gabriel, City Attorney

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