RESOLUTION NO. 2006-38

A RESOLUTION CALLING FOR PUBLIC HEARING ON A RESOLUTION OF THE CITY COUNCIL OF MARCO ISLAND, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR MORE THAN ONE YEAR LEVIED IN MARCO ISLAND, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY OF MARCO ISLAND, FLORIDA, AS FOLLOWS:

SECTION 1. AUTHORITY. This Resolution of the City of Marco Island, Florida (the "City") is adopted pursuant to City Ordinance No. 99-1 (as amended from time to time and codified in the City Code is Sections 2-281 through 2-339, the "Assessment Ordinance"), Chapter 197, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined, and deemed as follows:

(A) Prior to using the uniform method of collecting non-ad valorem assessments to levy and collect special assessments in Marco Island, Florida, Section 197.3632 of the Florida Statutes requires the City Council of the City of Marco Island (the "City Council") to adopt at a public hearing a resolution stating the City's intent to use the uniform method of collecting said assessments and to publish a notice of the City's intent to use said method weekly in a newspaper of general circulation within Collier County, Florida, for four (4) consecutive weeks preceding the public hearing.

(B) The City Council hereby documents its intent to consider the use of the uniform method of collecting assessments at a public hearing to be held in October 16, 2006.

SECTION 3. PUBLIC HEARING; NOTICE.

(A) A public hearing shall be held by the City Council on October 16, 2006, at 6:00 p.m., at Frank Mackle Community Park Building, 1361 Andalucia Terrace, Marco Island, Florida, at which public hearing all parties in interest and citizens may appear to be heard as to any and all matters pertinent to a resolution of the City Council of the City of Marco Island, Florida, electing to use the uniform method of collecting non-ad valorem assessments for more than one year.

(B) A notice describing the time, date, place, and purpose of the public hearing, and a description of the area subject to said assessments shall be published in accordance with Section 197.3632, Florida Statutes. Such notice shall be in substantially the form attached hereto as Appendix "A".

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

[Remainder of page intentionally left blank.]

DULY ADOPTED this 18th day of September, 2006.

CITY COUNCIL OF MARCO ISLAND, FLORIDA

By: Terri DiSciullo
Terri DiSciullo, Chairwoman

(SEAL)

ATTEST:

Laura M. Litzan, City Clerk

Approved as to Form:

Richard D. Yovanovich, City Attorney

APPENDIX A
FORM OF PUBLISHED NOTICE

CITY OF MARCO ISLAND, FLORIDA
NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

The City Council of Marco Island, Florida (the "Council"), hereby provides notice, pursuant to Section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem assessments for more than one year to be levied within the area encompassed by the City boundaries, for the cost of providing capital infrastructure necessary to advance the purposes of the City including, but not limited to, the provision of water, wastewater, stormwater, roadway and street improvements. The Council will consider the adoption of a resolution electing to use the uniform method of collecting such assessments as authorized by Section 197.3632, Florida Statutes, at a public hearing to be held at 6:00 p.m. EST, October 16, 2006, at the Frank Mackle Community Park Building, 1361 Andalucia Terrace, Marco Island, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution are on file at Marco Island City Hall, 50 Bald Eagle Drive, Marco Island, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the Council with respect to any matter relating to the consideration of the resolution at the referenced public hearing, a record of the proceeding may be needed and in such an event, such

person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in such public hearing should contact the City Clerk at (239) 389-5010 at least forty-eight (48) hours prior to the date of the public hearing.

DATED this 5th day of September, 2006.

By Order of: CITY COUNCIL OF MARCO ISLAND, FLORIDA

Publish in the Marco Island Eagle on the following dates:
September 21, 2006
September 28, 2006
October 5, 2006 and
October 12, 2006