

A RESOLUTION OF THE CITY OF MARCO ISLAND, FLORIDA AUTHORIZING THE LEVY OF A SPECIAL CITYWIDE AD VALOREM TAX AT A MILLAGE RATE NOT TO EXCEED 0.15 MILLS PROVIDING THAT THE PROCEEDS OF THE AD VALOREM TAX LEVY SHALL BE USED SOLELY TO SUPPLEMENT THE COSTS OF MAINTAINING AND OPERATING A 24 HOUR PER DAY-7 DAY PER WEEK FREE STANDING WALK-IN CLINIC TO BE OPERATED BY AN ESTABLISHED FULL SERVICE HOSPITAL SYSTEM LOCATED IN COLLIER COUNTY AND SELECTED BY THE CITY COUNCIL AFTER DUE CONSIDERATION; PROVIDING FOR AND CALLING AN ADVISORY REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY TO BE HELD ON AUGUST 14, 2012; PROVIDING FOR OFFICIAL BALLOTS; PROVIDING FOR REFERENDUM PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City (the "City Council") hereby determines that the qualified electors of the City should provide advice and input through a referendum to enable the City Council to make the decision determining whether to levy an ad valorem tax for purposes of providing that the proceeds of the ad valorem tax shall be used solely to supplement the costs of maintaining and operating a 24 hour per day-7 day per week free standing walk-in clinic to be operated by an established full-service hospital system located in Collier County and selected by the City Council after due consideration.

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

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to the Constitution and laws of the State of Florida, including Chapter 100, Florida Statutes, Chapter 166, Florida Statutes, the Charter of the City of Marco

Island and other applicable provisions of law (hereinafter collectively referred to as the “Act”).

SECTION 2. FINDINGS. The City Council hereby finds and determines that the recitals set forth herein are true and correct and adopts the same as its findings and determinations.

SECTION 3. AUTHORIZATION OF TAX. Subject and pursuant to the provisions hereof, the City has the authority to levy an ad valorem tax on all taxable property in the City not to exceed 0.15 mills for the purpose of supplementing the costs of maintaining and operating a 24 hour per day, 7 day per week free standing walk-in clinic to be operated by an established full-service hospital system located in Collier County and selected by the City Council after due consideration. The City Council hereby determines that such an expenditure of ad valorem tax revenue is in the public interest and serves a legitimate public purpose.

SECTION 4. ADVISORY REFERENDUM. An advisory referendum of the qualified electors residing in the City is hereby called to be held on August 14, 2012, to determine through a referendum whether or not the City should make the decision determining whether to levy an ad valorem tax for purposes of providing that the proceeds of the ad valorem tax shall be used solely to supplement the costs of maintaining and operating a 24 hour per day-7 days per week free standing walk-in clinic to be operated by an established full-service hospital system located in Collier County and selected by the City Council after due consideration.

The Supervisor of Elections of Collier County, Florida (the “Supervisor of Elections”) shall hold, administer, and conduct the referendum in the manner prescribed by law for

holding general elections on the City. The City Clerk (the “City Clerk”) and the Supervisor of Elections are directed to take all necessary measures to conduct the referendum in all manners required by law. The returns shall show the numbers of qualified electors who voted at such referendum on the proposition and the number of votes cast respectively for and against the approval of the proposition. The returns shall be properly canvassed in the manner provided by law and all procedures and requirements of the laws of the State of Florida, the Charter of the City and other applicable law shall be complied with for the purpose of conducting the computation of ballots and completion of referendum procedures.

SECTION 5. NOTICE OF ADVISORY REFERENDUM. Notice of the referendum shall be published in a daily newspaper of general circulation in the City, at least twice, once in the fifth week and once in the third week prior to the week in which the referendum is held, in the form attached hereto as “Exhibit A” and in the manner provided in Section 100.342, Florida Statutes. The first publication of such notice shall be at least thirty (30) days prior to the date of the referendum.

SECTION 6. OFFICIAL BALLOT. The form of ballot for voting in the referendum shall be in substantially the following form:

OFFICIAL BALLOT

CITY OF MARCO ISLAND, FLORIDA

August 14, 2012

Shall the City levy an ad valorem tax for purposes of providing that the proceeds of the ad valorem tax shall be used solely to supplement the costs of maintaining and operating a 24 hour per day-7 days per week free standing walk-in clinic to be

operated by an established full-service hospital system located in Collier County and selected by the City Council after due consideration.

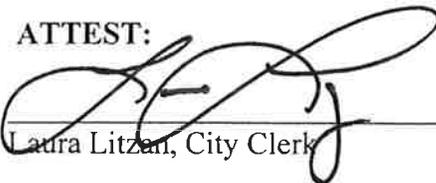
_____ Yes- For Levy of Tax
_____ No- Against Levy of Tax

If a majority of the votes cast at the referendum shall be “Yes-For Levy of Tax,” the City shall be authorized but not mandated to levy a special ad valorem tax as provided in Section 3 hereof. If less than a majority of the votes cast at the referendum shall be “Yes – For Levy of Tax” no special tax shall be levied. Regardless of the results of the referendum, the City Clerk is hereby directed to submit such results to the Department of State pursuant to 100.351, Florida Statutes.

SECTION 7. LANGUAGES. To the extent required by law, the Official Ballot and Notice of Referendum shall be published in both the English and Spanish languages.

SECTION 8. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

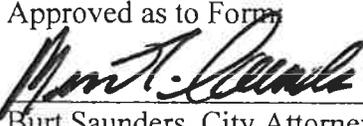
Passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida this 4th day of June, 2012.

ATTEST:


Laura Litzan, City Clerk

CITY OF MARCO ISLAND, FLORIDA
By: 

Larry Magel, Council Chairman

Approved as to Form


Burt Saunders, City Attorney

EXHIBIT A

NOTICE OF REFERENDUM

AUGUST 14, 2012

CITY OF MARCO ISLAND, FLORIDA

To be held on Tuesday, August 14, 2012, as provided by Resolution

No. _____ of the City Council, as governing body of the
City of Marco Island, Florida

Adopted on _____, 2012.

Notice is hereby given that a referendum will be held in the City of Marco Island, Florida on Tuesday, August 14, 2012. The referendum will be held to determine whether to levy an ad valorem tax for purposes of providing that the proceeds of the ad valorem tax shall be used solely to supplement the costs of maintaining and operating a 24 hour per day-7 days per week free standing walk-in clinic to be operated by an established full-service hospital system located in Collier County and selected by the City Council after due consideration.

The levy of such tax and the holding of such referendum have been authorized by Resolution No. _____ of the City Council of the City adopted on June _____, 2012.

All qualified electors residing in the City shall be entitled to vote in the referendum.

Laura Litzan, City Clerk
City of Marco Island, Florida

