

CITY OF SANIBEL

RESOLUTION NO. 13-053

A RESOLUTION OF THE SANIBEL CITY COUNCIL RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE, RECYCLABLES AND HORTICULTURAL WASTE, IN THE CITY OF SANIBEL; CONSTITUTING THE CITY'S 2013-2014 FISCAL YEAR INITIAL ASSESSMENT RESOLUTION RELATING TO THE ANNUAL SPECIAL SERVICE ASSESSMENT TO FUND THE COLLECTION AND DISPOSAL OF SOLID WASTE, RECYCLABLES AND HORTICULTURAL WASTE AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF SANIBEL FOR THE FISCAL YEAR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; CONFIRMING AND AUTHORIZING MATTERS RELATING TO SUCH ASSESSMENT; SCHEDULING A PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE ANNUAL RATE RESOLUTION AND TO CONFIRM COLLECTION OF SUCH SPECIAL SERVICE ASSESSMENTS THROUGH THE UNIFORM METHOD OF COLLECTION (i.e. ANNUAL LEE COUNTY TAX BILL); PROVIDING DIRECTION FOR THE PREPARATION OF THE ASSESSMENT ROLL AND NOTICES REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Sanibel has enacted Resolution No. 10-038 and Resolution No. 10-064 which authorized the annual re-imposition of assessments to fund the City's collection and disposal of Solid Waste, Recyclables and Horticultural Waste for Residential Dwelling Units (defined as one through four residential dwelling units per parcel) against certain Assessed Property within the City of Sanibel; and

WHEREAS, the imposition of an annual recurring special Service Assessment for each Fiscal Year is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Assessed Property; and

WHEREAS, the City may approve and confirm certain matters in an annual Initial Assessment Resolution which, among other things, shall direct the preparation of the Assessment Roll and notices required by law for the City Council's consideration of the Annual Rate Resolution; and

WHEREAS, such Initial Assessment Resolution is also for the purpose of scheduling a public hearing at which the City Council will consider the adoption of the Annual Rate Resolution to impose the annual special service assessment to fund the collection and disposal of Solid Waste, Recyclables and Horticultural Waste against assessed property located within the City of Sanibel for the Fiscal Year October 1, 2013 through September 30, 2014;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanibel, Florida;

SECTION 1. The property located within the assessment area to be assessed, the method of apportionment of the total Solid Waste costs and the method for computation of the assessments of the assessed properties as set forth and described in Resolutions 10-038 and 10-064 are hereby CONFIRMED, APPROVED and ADOPTED for purposes of this Resolution and the Annual Rate Resolution and such Resolutions are hereby incorporated by reference.

SECTION 2. The estimated assessment rate for Fiscal Year 2013-2014 is as follows:

(A) For Fiscal Year beginning October 1, 2013, the Solid Waste Cost of \$1,064,595.58 shall be allocated among all parcels of Assessed Property within the City on a per Dwelling Unit basis, based upon each parcels' classification as Residential Property and the number of Dwelling Units (one through four Dwelling Units) for such parcels. The total Solid Waste Cost is divided on a per Dwelling Unit basis among the total Assessed Property. A rate of assessment equal to (1) \$270.34 for each Dwelling Unit applying for or using curbside Solid Waste, Recyclables and Horticultural Waste collection and disposal services is hereby estimated for Fiscal Year 2013-2014 based on 3881 estimated Dwelling Units and (2) a rate of assessment equal to \$358.28 for each Dwelling Unit applying for or using backdoor Solid Waste, Recyclables and Horticultural

Waste collection and disposal services is hereby estimated for Fiscal Year 2013-2014 based on 43 estimated Dwelling Units.

SECTION 3. It is hereby ascertained, determined and declared that each parcel of Assessed Property within the City will be specially benefited by the City's provision of Solid Waste, Recyclables and Horticultural Waste collection and disposal services, facilities or programs in an amount not less than the Solid Waste Service Assessment for such parcel, computed in the manner set forth in Resolutions 10-038 and 10-064. There is hereby made a legislative determination that the Solid Waste Service Assessments are fairly and reasonably apportioned among the Assessed Property that receive the special benefit as set forth in Resolutions 10-038 and 10-064.

SECTION 4. A public hearing to consider the adoption of the City of Sanibel's Annual Rate Resolution to establish the annual special service assessment to fund the collection and disposal of Solid Waste, Recyclables and Horticultural Waste against assessed property located within the City of Sanibel for the Fiscal Year October 1, 2013 through September 30, 2014, is hereby scheduled for 9:15 A.M. on Tuesday, August 6, 2013 at City of Sanibel, MacKenzie Hall, 800 Dunlop Road, Sanibel, Florida. Such hearing shall also be for the purpose of the City Council's consideration and approval of the collection of such special service assessments through the uniform method of collection (i.e. annual Lee County real estate tax bill, as more particularly described in Resolution 10-064 and as authorized by Section 197.3632, Florida Statutes).

SECTION 5. The City Manager is hereby directed and authorized to finalize the Assessment Roll and to provide any notices required by law for the City Council's adoption of the Annual Rate Resolution.

SECTION 6. Effective date. This Resolution shall take effect immediately upon adoption.

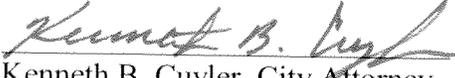
DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 16th day of July, 2013.

AUTHENTICATION:

Kevin Ruane, Mayor

Pamela Smith, City Clerk

APPROVED AS TO FORM:



Kenneth B. Cuyler, City Attorney

Date 6/27/13

Vote of Council Members:

Ruane _____
Congress _____
Denham _____
Harrity _____
Jennings _____

Date filed with City Clerk: _____