

**CITY OF SANIBEL**

**RESOLUTION 13-065**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANIBEL SITTING AS THE SANIBEL EQUALIZATION BOARD; EQUALIZING AND APPROVING A RECURRING ANNUAL SPECIAL SERVICE ASSESSMENT FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE, RECYCLABLES AND HORTICULTURAL WASTE FOR ALL RESIDENTIAL DWELLING UNITS (DEFINED AS ONE THROUGH FOUR RESIDENTIAL DWELLING UNITS PER PARCEL) WITHIN THE CITY OF SANIBEL; EQUALIZING AND APPROVING THE RECURRING ANNUAL SPECIAL SERVICE ASSESSMENTS FOR FISCAL YEAR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; PROVIDING FOR THE CONFIRMATION, ADOPTION AND FILING OF A FINAL ASSESSMENT ROLL FOR SAME; PROVIDING FOR CONFIRMATION OF THE RECURRING ANNUAL SPECIAL SERVICE ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Sanibel pursuant to its Home Rule Power, general law, including without limitation Chapters 166, 170 and 197, Florida Statutes, the Sanibel Charter and City of Sanibel Resolutions 10-038, 10-064 and 13-053, has determined to levy a recurring annual special Service Assessment within the City of Sanibel for the collection and disposal of Solid Waste, Recyclables and Horticultural Waste for all residential dwelling units (defined as one through four residential dwelling units per parcel) within the City of Sanibel; and

**WHEREAS**, such levy has been made for the Fiscal Year October 1, 2013 through September 30, 2014 on the Assessed Property as described in City of Sanibel Resolution No. 13-064 (the City's Annual Rate Resolution), adopted this date; and

**WHEREAS**, the City Council has thereafter met as an equalization board pursuant to Section 170.08, Florida Statutes, and has heard and considered any and all complaints as to the special assessments and has adjusted and equalized assessments on a basis of justice and right; and

**WHEREAS**, the equalization board has made the adjustments, if any, set forth in Exhibit "A";

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

**SECTION 1.** The recurring annual special Service Assessment for the collection and disposal of Solid Waste, Recyclables and Horticultural Waste for residential dwelling units within the City of Sanibel, as set forth and described in Resolutions 10-038, 10-064 and 13-053 and 13-064, all of which are incorporated herein by reference, is hereby confirmed, **APPROVED** and **ADOPTED**.

**SECTION 2.** Adjustments, if any, to the Assessment Roll approved by Resolution 13-064 are set forth on Exhibit "A", attached hereto and incorporated herein.

**SECTION 3.** A final Assessment Roll, attached hereto and incorporated herein as Exhibit "B", is hereby confirmed and adopted for Fiscal Year October 1, 2013 through September 30, 2014 and shall forthwith be filed with the City Council in the office of the City Clerk. The recurring annual special Service Assessment and Final Assessment Roll described herein, is **CONFIRMED** and shall stand as a legal, valid and binding first lien upon the property against which such assessments are made until paid.

**SECTION 4.** Effective Date. This resolution shall take effect immediately upon adoption.

**DULY PASSED AND ENACTED** by the Council of the City of Sanibel, Florida, this 6th day of August, 2013.

AUTHENTICATION:

\_\_\_\_\_  
Kevin Ruane, Mayor

\_\_\_\_\_  
Pamela Smith, City Clerk

APPROVED AS TO FORM: *Kenneth B. Cuyler* *7/23/13*  
Kenneth B. Cuyler, City Attorney Date

Vote of Council Members:

Ruane \_\_\_\_\_  
Congress \_\_\_\_\_  
Denham \_\_\_\_\_  
Harrity \_\_\_\_\_  
Jennings \_\_\_\_\_

Date filed with City Clerk: \_\_\_\_\_

**EXHIBIT “A”**

**ADJUSTMENTS TO  
ASSESSMENT ROLL FOR  
ALL RESIDENTIAL DWELLING UNITS  
(DEFINED AS ONE THROUGH FOUR RESIDENTIAL  
DWELLING UNITS PER PARCEL)  
WITHIN THE CITY OF SANIBEL, FLORIDA**

**ADJUSTMENT(S) AS FOLLOWS:**

**EXHIBIT "B"**

**FINAL ASSESSMENT ROLL**