

**ORDINANCE 09-09**

**AN ORDINANCE DETERMINING AND FIXING THE 2009 TAX LEVY AND MILLAGE RATE FOR THE HIDEAWAY BEACH SPECIAL TAXING DISTRICT, FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010, FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE OPERATIONS OF THE SPECIAL TAXING DISTRICT, AND FOR CONTRIBUTING TO THE SINKING FUNDS OF THE SPECIAL TAXING DISTRICT TO PAY INTEREST ON AND PROVIDE FOR THE RETIREMENT OF DEBT APPROVED BY VOTER REFERENDUM; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the 2009 Tax Assessment Roll for the Hideaway Beach Special Taxing District has been prepared, equalized and certified, showing:

Total Taxable Value of Real and Personal Property: \$466,844,073, and;

**WHEREAS**, the City of Marco Island adopts the tax levies and millage rates for the City of Marco Island and any Special Taxing Districts;

**WHEREAS**, Florida statutes section 200.065 requires rolled-back data to be presented in aggregate with the City of Marco Island and Hideaway Beach Special Taxing District;

**NOW, THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA:

**Sec. 1.** That the operating tax levy and millage rate for the Hideaway Beach Special Taxing District hereby is fixed and determined to be 1.2302 mils.

**Sec. 2.** That the voted debt service millage rate for the Hideaway Beach Special Taxing District hereby is fixed and determined to be 1.3698 mils.

**Sec. 3.** That the tax levy and millage rate have been fixed and determined in accordance with the following assessments and findings of the City Council, and making allowances for tax delinquents, discounts and losses therein, show, to-wit:

Hideaway Beach Special Taxing District Operations	1.2302 mils	\$545,596
Hideaway Beach Voted Debt Service	1.3698 mils	\$607,509

**Sec. 4.** The Hideaway Beach Special Taxing District is a dependent special taxing district of the City and the adopted tax levy and millage rates are in addition to the City

of Marco Island's tax levy and millage rate for properties located within the special taxing district's boundaries.

**Sec. 5.** The current year's aggregate rolled-back rate is 1.6518 mils. The increase in the aggregate millage rate from the aggregate rolled-back rate is 3.73 percent.

**Sec. 6. Incorporation, Conflict, and Severability.**

- A. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article" or other appropriate word.
- B. All sections or parts of sections of the Marco Island City Code of Ordinances, all City of Marco Island resolutions or parts of resolutions made applicable by City Charter in conflict herewith are hereby repealed to the extent of such conflict.
- C. If any word, phrase, clause, subsection or section of this Ordinance is for any reason held unconstitutional or invalid by any court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**Sec. 7. Effective Date.**

This Ordinance shall take effect immediately upon adoption at second reading.

First Reading (tentatively adopted) passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 8<sup>th</sup> day of September 2009.

Second Reading passed in open and regular session through roll call vote by the City Council of the City of Marco Island, Florida, this 21<sup>st</sup> day of September 2009.

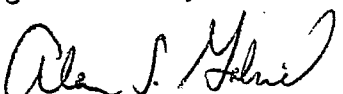
Attest:

  
\_\_\_\_\_  
Laura Litzan, City Clerk

CITY OF MARCO ISLAND, FLORIDA

BY:   
\_\_\_\_\_  
Robert J. Popoff, Chairman

Approved as to form and legal sufficiency:

  
\_\_\_\_\_  
Alan L. Gabriel, City Attorney