

0012

**SPECIAL CITY COUNCIL MEETING
AND PUBLIC HEARING**

FEBRUARY 28, 2006

A Special Meeting and Public Hearing of the Arcadia City Council was held on February 28, 2006 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmembers attending were: Heine, Johnson, Goodman, Fazzone, and Whitlock. Also in attendance were: Administrator Strube, Attorney Holloman, Special Projects Coordinator Hewett, Ms. Way and Recorder Baumann.

Mayor Heine called the Special Meeting and Public Hearing to order and stated that the purpose of the Public Hearing as advertised is to consider the adoption of a resolution electing to use the uniform method of collecting non ad valorem special assessments for the cost of providing Fire Protection to properties located within the incorporated area of the City of Arcadia.

Administrator Strube addressed the Council stating that we now have a window of opportunity to move forward with the implementation of a service tax that would be effective October 1, 2006. He noted that both the Property Appraiser and Tax Collector have agreed to allow the City to move forward with the levy and have extended the time to submit a resolution electing to use the uniform method of collecting non ad valorem special assessments until March 10, 2006. Both agencies felt that they could handle any extra work that this resolution might require of them. Administrator Strube then reported that this meeting was advertised as required for four (4) consecutive weeks. The City would use the current County rates for the Municipal Service Benefit Unit (MSBU) to fund Fire Rescue Operations and estimates it will generate \$369,033 in revenue and a possible Municipal Service Tax Unit (MSTU) for Ambulance Service is estimated to generate \$64,419 in revenue. When these revenue sources are added with the projected ambulance revenue they would bring in about \$518,452. Administrator Strube stated that the purpose of this meeting is to decide if the Council wants to move forward with implementing the tax, there is no need to actually set a rate at this meeting. All proposed rates are based on a County rate study and schedule. Fazzone move to adopt Resolution No. 2006-3 electing to use the uniform method of collecting fire protection services non ad valorem special assessments to be levied within the incorporated area; seconded by Goodman and carried. County Administrator Coffee thanked Administrator Strube for his work and quick action on this issue.

RESOLUTION NO. 2006-3

**A RESOLUTION OF THE CITY OF ARCADIA, FLORIDA,
ELECTING TO USE THE UNIFORM METHOD OF
COLLECTING FIRE PROTECTION SERVICES NON-AD
VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN
THE INCORPORATED AREA OF THE CITY OF
ARCADIA; STATING A NEED FOR SUCH LEVY;
PROVIDING FOR THE MAILING OF THIS RESOLUTION;
AND PROVIDING AN EFFECTIVE DATE.**

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(Resolution 2006-3 continued)

WHEREAS, the City Council of the City of Arcadia, Florida (the "City") is contemplating the imposition of a special assessment for the provision of Fire Protection Services; and

WHEREAS, the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing Fire Protection to properties located within the incorporated area of the City of Arcadia, Florida, as authorized by section 197.3632, Florida Statutes, as amended, and this method will allow such special assessments to be collected annually commencing in November 2006, in the same manner as provided for ad valorem taxes; and

WHEREAS, the City held a duly advertised public hearing prior to the adoption of this resolution, proof of publication of such hearing being attached hereto as Exhibit "A".

NOW, THEREFORE BE IT RESOLVED:

1. Commencing with the Fiscal Year beginning on October 1, 2006, and with the tax statement mailed for such fiscal year, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in Section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing Fire Protection Services. Such non-ad valorem assessments shall be levied only on properties located within the incorporated area of the City of Arcadia.
2. The City hereby determines that the levy of the assessment is needed to fund the cost of Fire Protection Services within the incorporated area of the City of Arcadia.
3. The DeSoto County Property Appraiser and Tax Collector have agreed to extend the time to submit this resolution to March 10, 2006.
4. Upon adoption, a copy of this resolution shall be sent by United States mail to the Florida Department of Revenue, the DeSoto County Tax Collector, and the DeSoto County Property Appraiser by March 10, 2006.
5. This Resolution shall be effective upon adoption.

DULY ADOPTED this 28th day of February, 2006.

CITY OF ARCADIA, FLORIDA

By: s/s ROBERT W. HEINE, MAYOR
ROBERT W. HEINE, MAYOR

ATTEST:

By: s/s RACHELLE M. BAUMANN
RACHELLE M. BAUMANN
CITY RECORDER

SUN NEWSPAPERS

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PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF DESOTO:

Before the undersigned authority personally appeared Tami Jewell, who on oath says that she is a clerk of the (DeSoto Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice, was published in said newspaper in the issues of:

01/29/06, 02/05/06, 02/12/06, 02/19/06

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of legal notice; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this legal notice for publication in the said newspaper.

Tami Jewell
 (Signature of Affiant)

Sworn and subscribed before me this 21st Day of February, 2006

Angela K. Centurion
 (Signature of Notary Public)

Angela Roberto Santucci
 MY COMMISSION # DD220655 EXPIRES
 June 14, 2007
 BONDED THROUGH TROY FARM INSURANCE INC



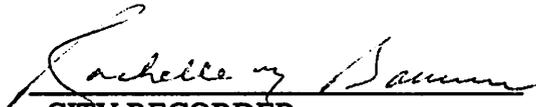
EXHIBIT "A"
 RESOLUTION 2006-3

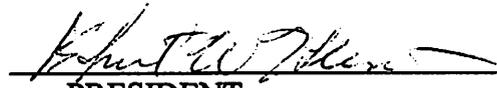
NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD-VALOREM ASSESSMENTS

The City of Arcadia, Florida (the "City") 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 special assessments to be levied within the incorporated area of the City to fund a portion or all of the costs of providing fire protection services within the City of Arcadia commencing for the fiscal year beginning on October 1, 2006. The City will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 6:00 pm on February 28, 2006 at 23 North Port Avenue, Arcadia, Florida. Such resolutions will state the need for the levy and will identify the location of the real property subject to the levy. A copy of the proposed form of resolution is on file in the Office of the City Recorder, 22 North Port Avenue, Arcadia, Florida. All interested persons are invited to attend. In the event any person relating to the consideration of the resolution at the above referenced public hearing would like to be heard, a written notice of intent to be heard must be filed with the City of Arcadia Administrator's Office at least 7 days prior to the date of the hearing. Dated this 25th day of January, 2006.
 Publish: 1/29/06, 2/5/06, 2/12/06, 2/19/06

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There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT