BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: June 21, 2006 Division: County Attorney

Bulk Item: Yes X No ____ Department: County Attorney

AGENDA ITEM WORDING:
Approval to advertise a public hearing for an ordinance replacing the ending date of the Big Coppitt Municipal Service Taxing Unit with Calendar Year 2010 and reinstating Shark Key in the legal description of the MSTU.

ITEM BACKGROUND:
Delays in the project and non-collection of the tax for the taxable year 2006 have necessitated an extension of the termination date of the Big Coppitt Municipal Service Taxing District. Additionally, the Big Coppitt MSTU legal description needs to be corrected to again include Shark Key, as it was erroneously removed from the legal description back in 2003.

PREVIOUS RELEVANT BOCC ACTION:
Ordinance No. 38-2002 created Big Coppitt Municipal Service Taxing Unit
Ordinance No. 16-2003 erroneously removed Shark Key from the Big Coppitt MSTU

CONTRACT/AGREEMENT CHANGES:
N/A

STAFF RECOMMENDATIONS:
Approval to advertise.

TOTAL COST: N/A **BUDGETED:** Yes ____ No ___

COST TO COUNTY: _____ **SOURCE OF FUNDS:** _____

REVENUE PRODUCING: Yes ___ No ___ **AMOUNT PER MONTH**____ **Year** ____

APPROVED BY: County Atty ___ OMB/Purchasing ___ Risk Management ___

DIVISION DIRECTOR APPROVAL: Suzanne A. Hutton 6/6/06
SUZANNE A. HUTTON, COUNTY ATTORNEY

DOCUMENTATION: Included ___ To Follow_____ Not Required_____

DISPOSITION:_____ **AGENDA ITEM #**_____
Revised 2/27/01

ORDINANCE NO. – 2006

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AMENDING CHAPTER 15.5, MONROE COUNTY CODE; PROVIDING FOR REPLACEMENT OF FISCAL YEAR 2008 WITH CALENDAR YEAR 2010 AS THE ENDING DATE OF THE BIG COPPITT MUNICIPAL SERVICE TAXING UNIT SET FORTH IN ORDINANCE NO. 038-2002, AS AMENDED IN ORDINANCE NO. 16-2003; PROVIDING FOR REINSTATEMENT OF SHARK KEY IN THE LEGAL DESCRIPTION OF THE MSTU; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HEREWITH; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 38-2002 created the Big Coppitt Municipal Service Taxing Unit for purposes of ad valorem taxation to provide funding for a wastewater/sewerage system for the Big Coppitt Region; and

WHEREAS, Ordinance No. 38-2002 established a termination date of the end of fiscal year 2007-2008; and

WHEREAS, delays in the project and non-collection of the tax for the taxable year 2006 have necessitated an extension of the termination date; and

WHEREAS, Ordinance No. 16-2003 erroneously removed Shark Key from the taxing unit;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Section 15.5-113(b), Monroe County Code, shall be revised to read:

The boundaries of Big Coppitt Municipal Service Taxing Unit are ~~more particularly described in Exhibit A hereto and same are incorporated by reference.~~ the area generally bounded on the west by Boca Chica Channel and on the east by Shark Channel, including Shark Key.

Section 2. Section 15.5-114(b), Monroe County Code, shall be revised to read:

The imposition ~~collection~~ of ad valorem taxes is ~~as~~ authorized ~~herein shall cease after four (4) consecutive fiscal years and~~ as long as the MSTU is in existence. T~~t~~he Big Coppitt Municipal Service Taxing Unit shall terminate ~~at the end of county fiscal year 2007-2008~~ on December 31, 2010, and taxes for calendar year 2010 may be collected in 2011.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 5. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 6. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the __th day of ___, 2006.

Mayor Charles "Sonny" McCoy	__
Mayor Pro Tem Dixie M.Spehar	__
Commissioner George Neugent	__
Commissioner Glenn Patton	__
Commissioner David Rice	__

(SEAL)
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By_____
Deputy Clerk

By_____
Mayor/Chairperson