

ORDINANCE NO. 79-10

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, CREATING THE HOLMES BEACH MUNICIPAL SERVICE TAXING DISTRICT; CREATING THE GOVERNING BODY OF SAID DISTRICT; ESTABLISHING THE POWER AND AUTHORITY OF SAID BODY; GRANTING THE POWER AND AUTHORITY TO DETERMINE AND LEVY SERVICE CHARGES, SPECIAL ASSESSMENTS OR AD VALOREM TAXES IN THE DISTRICT TO PAY FOR ESSENTIAL FACILITIES AND MUNICIPAL SERVICES FURNISHED BY THE COUNTY IN THE DISTRICT; GRANTING THE POWER AND AUTHORITY TO DETERMINE THE AMOUNT OF AD VALOREM TAXES WHICH MUST BE LEVIED AND COLLECTED IN THE DISTRICT TO PAY FOR SERVICES AND PROJECTS PROVIDED OR FURNISHED BY THE COUNTY IN THE DISTRICT; PROVIDING FOR THE APPROVAL HEREOF BY THE CITY OF HOLMES BEACH, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Holmes Beach Municipal Service Taxing District is hereby created and established consisting of all that portion of Manatee County, Florida, lying within the duly incorporated limits of the City of Holmes Beach, Florida. In the event the limits or boundaries of said municipality should hereinafter be duly revised, modified, expanded, contracted or otherwise changed, then in that event the jurisdiction, power and authority of said District shall be limited to all such property within the limits or boundaries of said municipality as of June 1 of each year.

Section 2. The Governing Body of the Holmes Beach Municipal Service Taxing District, hereinafter referred to as the "Governing Body" shall consist of three (3) members of the Board of County Commissioners of Manatee County, Florida, one (1) of whom shall be designated as the Chairman of the Governing Body, selected from time to time by the Chairman of said Board of County Commissioners, and two (2) members of the City Council of the City of Holmes Beach, Florida, selected from time to time by the Mayor or City Council thereof. A quorum of the Governing Body shall consist of the presence at any meeting thereof of at least two members of the Board of County Commissioners and one (1) member of said City Council. The Clerk of the Circuit Court of Manatee County, Florida, shall serve as the ex-officio Clerk or Secretary to said Governing Body.

Section 3. The City Council of the City of Holmes Beach, Florida, may request the County of Manatee, Florida, to provide or furnish within said District any one or more of the following: fire protection, law enforcement, beach erosion control, recreation service and facilities, water, streets, sidewalks, street lighting, garbage and trash collection and disposal, waste and sewage collection and disposal, drainage, trans-

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portation, and other essential facilities and municipal services to be paid for by funds derived from service charges, special assessments or ad valorem taxes obtained by the County of Manatee, Florida, within the District.

Section 4. The Governing Body shall have the power and authority to make an annual determination as to the extent to which any one or more of the essential facilities and municipal services requested by the City of Holmes Beach, Florida, are to be furnished by the County within said District during the next fiscal year of the County and determine the amount which will be expended therefore by the County. Unless any such essential facilities and municipal services are furnished Countywide of a real or substantial benefit to the residents and property in both the incorporated and unincorporated portions of the County, service charges, special assessments or ad valorem taxes shall be levied by the County in the District only for those particular essential facilities and municipal services furnished by the County within said District.

Section 5. The Governing Body shall have the power and authority to make an annual determination as to the share or portion of all of the revenues of the County of Manatee, Florida, attributed to or apportioned to services or projects provided or furnished Countywide of a real or substantial benefit to the residents and property in both the incorporated and unincorporated portions of said County, and those services or projects provided or furnished by said County solely within or for the benefit of the District. Considering all revenues of said County, the Governing Body shall have the power and authority to make an annual determination of the amount of ad valorem taxes which must be levied and collected by said County within said District to pay for all of the services or projects mentioned in this section as being or to be provided or furnished by the County within the District.

Section 6. The Governing Body shall have the power and authority to make annual appropriations of monies for the operation of said District and for the providing or furnishing of the services or projects by the County mentioned in sections 4 and 5 hereof and the power and authority to determine and levy service charges, special assessments or ad

valorem taxes, to the extent authorized by law, solely within the District for the purpose of providing and paying for said services or projects.

Section 7. All services charges, special assessments or taxes apportioned to, levied or collected within and expended for the benefit of the District, shall be maintained and accounted for in a separate account or fund for the District, with proper accounting records maintained to identify all receipts, expenditures and cash balances for the District.

Section 8. This District may be abolished before June 1 of any fiscal year by the furnishing to the Board of County Commissioners of Manatee County, Florida, a certified copy of an ordinance duly adopted by the City of Holmes Beach, Florida, repealing the ordinance previously adopted by said Municipality approving the creation of this District.

Section 9. This Ordinance shall take effect immediately upon receipt by the Board of each of the following: (1) an official acknowledgment from the office of the Secretary of State of Florida that this Ordinance has been filed with that office; and (2) a certified copy of an Ordinance duly adopted by the City of Holmes Beach, Florida, approving the creation of the Holmes Beach Municipal Service Taxing District in and by this County Ordinance and approving the provisions of this County Ordinance.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida, this the 24th day of July, 1979.

ATTEST: R. B. SHORE  
Clerk of the Circuit Court

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: [Signature]  
Chairman

STATE OF FLORIDA


COUNTY OF MANATEE

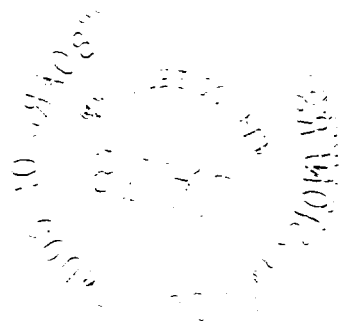
I, R. B. Shore, Clerk of Circuit Court, in and for the County of Manatee, State of Florida, do hereby certify that the foregoing is a true copy of ORDINANCE 79-10

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, CREATING THE HOLMES BEACH MUNICIPAL SERVICE TAXING DISTRICT AND CREATING THE GOVERNING BODY OF SAID DISTRICT.

approved by the Board of County Commissioners of said County in session on the 24th day of July 1979.

WITNESS my hand and official seal this 24th day of July 1979 in Bradenton, Florida.

  
\_\_\_\_\_  
R. B. Shore, Clerk of Circuit Court, Manatee County, Florida



COPIES TEN

ALL OFFICES

ENGINEER

ATTORNEY

DEPUTY

CLERK

*1 copy to office (per file) 5/29/59*

DATE



# Secretary of State

STATE OF FLORIDA  
THE CAPITOL  
TALLAHASSEE 32304

GEORGE FIRESTONE  
SECRETARY OF STATE

BETTY CASTOR  
Director, Division of Elections  
904/488-7690

July 31, 1979

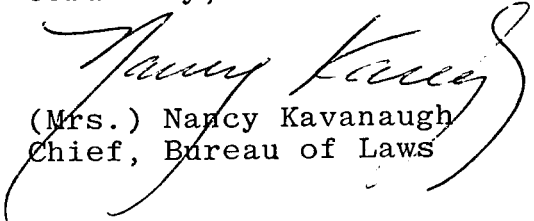
E. N. Fay, Jr., Esquire  
Manatee County Attorney  
Post Office Box 959  
Bradenton, Florida 33505

Dear Mr. Fay:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

- ✓ 1. Receipt of your letter/s of July 26, 1979  
and certified copy/ies of Manatee  
County Ordinance/s No./s 79-7 thru 79-12
- ✓ 2. We have filed this/these Ordinance/s in this office  
July 31 1979
3. Receipt of an original/s and certified copy/ies of  
\_\_\_\_\_ County Ordinance/s No./s
4. Receipt of \_\_\_\_\_ County Ordinance/s  
relative to \_\_\_\_\_
5. We have numbered this/these Ordinance/s \_\_\_\_\_  
and \_\_\_\_\_ was/were filed  
in this office \_\_\_\_\_ 1979.
- ✓ 6. The original/duplicate copy/ies showing filing date  
one each certified  
is/are being returned for your records.

Cordially,

  
(Mrs.) Nancy Kavanaugh  
Chief, Bureau of Laws

NK/mb