

**CITY OF SANIBEL
RESOLUTION 23-074**

A RESOLUTION OF THE SANIBEL CITY COUNCIL TO FIX A TIME, DATE, AND PLACE FOR A PUBLIC HEARING TO DETERMINE THE PROPRIETY AND ADVISABILITY OF ESTABLISHING AND IMPLEMENTING THE SANIBEL SEWER SYSTEM PHASE 4B EXPANSION PROJECT, WHICH ENCOMPASSES CERTAIN PROPERTIES IN THAT AREA OF THE CITY KNOWN AS SANIBEL GARDENS (ALSO REFERRED TO AS PHASE 4B, AREA B); CERTAIN PROPERTIES IN TAMARINDS (ALSO REFERRED TO AS PHASE 4B, AREA C); CERTAIN PROPERTIES IN WINTERBOTHAM (ALSO REFERRED TO AS PHASE 4B, AREA D); CERTAIN PROPERTIES ON FERRY ROAD (ALSO REFERRED TO AS PHASE 4B, AREA F; AND CERTAIN PROPERTIES ON MIDDLE GULF DRIVE (ALSO REFERRED TO AS PHASE 4B, AREA G) WITHIN THE CITY OF SANIBEL, AS TO THE COST AND FUNDING THEREOF, THE MANNER OF PAYMENT THEREFOR, AND AS TO THE AMOUNT TO BE ASSESSED EACH PROPERTY SO IMPROVED, PURSUANT TO SECTIONS 170.07 AND 170.08, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Sanibel adopted Resolution 23-070 in which the City of Sanibel expressed its intent to declare a special assessment to finance a public improvement as authorized by the Home Rule provision of the Florida Constitution, General Law, and the Sanibel Charter for the purpose of establishing and implementing the Sanibel Sewer System Phase 4B Expansion Project, which encompasses certain properties in that area of the city known as Sanibel Gardens (also referred to as Phase 4B, Area B); certain properties in Tamarinds (also referred to as Phase 4B, Area C); certain properties in Winterbotham (also referred to as Phase 4B, Area D); certain properties on Ferry Road (also referred to as Phase 4B, Area F; and certain properties on Middle Gulf Drive (also referred to as Phase 4b, Area G) within the City of Sanibel, pursuant to the provisions of Chapter 170.03, Florida Statutes; and

WHEREAS, pursuant to Chapter 170.07, Florida Statutes, a Resolution of the local governing board is required to be adopted fixing the time, date, and place of a public hearing to determine the propriety and advisability of making such improvement, as to the cost and funding therefor, the manner of payment therefore, and as to the amount to be assessed against each property so improved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA;

SECTION 1. A public hearing to determine the propriety and advisability of establishing and implementing the Sanibel Sewer System Phase 4B Expansion Project Assessment District, as to the cost and funding therefor, the manner of payment therefore, and as to the amount to be assessed against each property so improved, pursuant to Chapter 170.07, Florida Statutes, is hereby scheduled for 9:10 a.m., March 5, 2024, at BIG ARTS, 900 Dunlop Road, Sanibel, Florida, 33957.

SECTION 2. This Resolution shall take effect immediately upon adoption.

**PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF
SANIBEL, FLORIDA THIS 5th DAY OF DECEMBER 2023.**

Attest:

Scotty Lynn Kelly, City Clerk

Richard Johnson, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Council Members:

Johnson _____

Miller _____

Crater _____

Henshaw _____

Smith _____