



AN ORDINANCE AMENDING COLLIER COUNTY ORDINANCE NO. 96-84 WHICH CREATED THE RADIO ROAD BEAUTIFICATION MUNICIPAL SERVICE TAXING UNIT; PROVIDING FOR AMENDMENT TO SECTION THREE TO EXPAND THE PURPOSE TO INCLUDE THE COST FOR CURBING, WATERING FACILITIES, PLANTINGS AND MAINTENANCE OF THE MEDIAN AREAS OF ANY PUBLIC ROADWAY ADJOINING RADIO ROAD WITHIN THE BOUNDARIES OF THE UNIT; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECEIVED
2002 NOV 25 PM 1:20
DEPT. OF COUNTY ADMINISTRATION
COLLIER COUNTY, FLORIDA

WHEREAS, on December 17, 1996, the Board of County Commissioners adopted Ordinance No. 96-84 which created the Radio Road Beautification Municipal Service Taxing Unit ("MSTU"); and

WHEREAS, on September 17, 2002, the Radio Road Beautification Municipal Service Taxing Unit Advisory Board voted to include the cost of maintenance of the medians on Devonshire Boulevard in the fiscal year '92/'93 budget; and

WHEREAS, the Board of County Commissioners desires to change the Ordinance to allow median and right-of-way work on Radio Road and any adjoining public road within the MSTU boundaries.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: AMENDMENT TO SECTION THREE OF ORDINANCE NO. 1996-84.

Section Three is amended to read as follows:

SECTION THREE: PURPOSE AND GOVERNING BODY.

The MSTU is created for the purpose of providing curbing, watering facilities, plantings and maintenance of the median areas for that portion of Radio Road lying between Airport-Pulling Road (County Road 31) and Santa Barbara Boulevard and for any adjoining public road within the MSTU boundaries. The governing body of the MSTU shall be the Board of County Commissioners of Collier County, Florida.

SECTION TWO: INCLUSION IN THE CODE OF LAWS AND ORDINANCES.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or

re-lettered to accomplish such, and the word "ordinance" may be changed to "section," or any other appropriate word.

SECTION THREE: CONFLICT AND SEVERABILITY.

In the event this Ordinance conflicts with any other Ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION FOUR: EFFECTIVE DATE.

This Ordinance shall take effect upon filing with the Florida Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 19th day of November, 2002.

SEAL OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA
DATED: 11-19-02
ATTEST:
DWIGHT E. BROCK, CLERK

By: Patricia L Morgan, DC

Attest as to Chairman's signature only.

BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA

By: James N. Coletta
JAMES N. COLETTA, CHAIRMAN
11-19-02

Approved as to form and legal sufficiency:

Heidi F. Ashton
Heidi F. Ashton
Assistant County Attorney

This ordinance filed with the Secretary of State's Office the 25th day of November, 2002 and acknowledgement of that filing received this 2nd day of December, 2002
By: Patricia L Morgan, DC
Deputy Clerk

b:HFA\Ord\AmendRadioRdIBeautification96-84

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

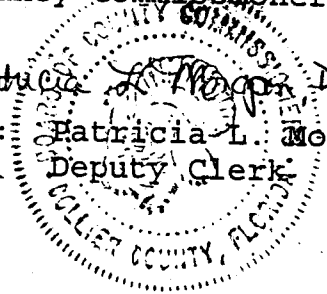
ORDINANCE NO. 2002-59

Which was adopted by the Board of County Commissioners on the 19th day of November, 2002, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 20th day of November, 2002.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

Patricia L. Morgan DC
By: Patricia L. Morgan,
Deputy Clerk



RESOLUTION NO. 97-184

A RESOLUTION AUTHORIZING A LOAN FROM FUND 341 AS THE FUNDING SOURCE FOR THE RADIO ROAD BEAUTIFICATION MUNICIPAL SERVICE TAXING UNIT FACT SHEET AND RELATED PRINTING AND MAILING EXPENDITURES IN ORDER TO SURVEY PROPERTY OWNERS WITHIN THE RADIO ROAD M.S.T.U. AND TO APPROVE THE FACT SHEET FOR SAID SURVEY

WHEREAS, the Board of County Commissioners on December 17, 1996 adopted an Emergency Ordinance No. 96-84 which provides for the creation of the Radio Road Beautification Municipal Service Taxing Unit; and

WHEREAS, the creation of the Radio Road Beautification Municipal Service Taxing Unit provides for the levy of ad valorem taxes to provide curbing, irrigation facilities, lighting, landscape plantings and maintenance of the median areas; and

WHEREAS, this Resolution provides for conducting a survey in order to obtain expressions of sentiments from the property owners within the boundaries of the Radio Road Beautification Municipal Service Taxing Unit.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

Section One. The Board of County Commissioners hereby finds that the distribution of a Fact Sheet and Survey to provide factual information to the property owners within the boundaries of the Radio Road Beautification Municipal Service Taxing Unit is in the best public interests of the citizens of Collier County and within the particular area designated as a Municipal Service Taxing Unit.

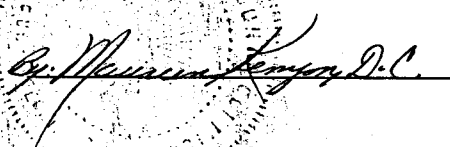
Section Two. The Board of County Commissioners hereby finds that the information as set forth in the Fact Sheet attached hereto as Exhibit "A", appropriately provides fair and impartial information to the citizenry and property owners within the boundaries of the Radio Road Beautification Municipal Service Taxing Unit.

Section Three. The Board of County Commissioners hereby approves the Radio Road Beautification Municipal Service Taxing Unit Fact Sheet and Survey in substantially the form attached hereto as Exhibit "A" and approves the Survey as an appropriate means to solicit public feedback.

Section Four. The cost of the Fact Sheet and Survey in an amount not to exceed \$5,000 is hereby authorized as a loan from the Assessment Receivable Fund No. (341). Said loan shall be repaid from the Radio Road Beautification MSTU with appropriate interest within one (1) year of the date of this Resolution.

This Resolution adopted this 25 day of March, 1997, after motion, second and majority vote.

ATTEST:
DWIGHT E. BROCK, CLERK

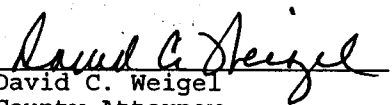


Dwight E. Brock

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

BY: 
TIMOTHY L. HANCOCK, CHAIRMAN

Approved as to form and
legal sufficiency:



David C. Weigel
County Attorney