

RESOLUTION 18-47

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, ACCEPTING AND APPROVING THE CITY COUNCIL'S REVISED COUNTY COMMISSION'S PROPOSED INTERLOCAL AGREEMENT FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY WITH CONDITIONS APPROVED BY THE COLLIER COUNTY COMMISSION ON JUNE 26, 2018; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, permits governmental units to enter into Interlocal Agreements to make the most efficient use of their powers by enabling them to cooperate with one another on a basis of mutual advantage; and

WHEREAS, on June 26, 2018, the Collier County Commission met and approved a Certificate of Public Convenience and Necessity ("COPCN") for the City of Marco Island conditioned upon the City agreeing to the Interlocal Agreement that was submitted previously to City Council on June 18, 2018, with two additional conditions, attached hereto as Exhibit "A"; and

WHEREAS, to be acceptable to the City, City Council recommends that three additional conditions be included within the County approved Interlocal Agreement which are (i) the passing of the referendum vote on August 28, 2018, (ii) the City's agreement to not request reduction in ad-valorem tax in the 1st year, and (iii) the Interlocal Agreement shall be effective on the condition that the County issues the City a COPCN that is acceptable to both the City and the County; and

WHEREAS, upon the City and County agreeing with the City's revised Interlocal Agreement and the conditions contained therein, the City will execute the Interlocal Agreement and Collier County, will grant the City a COPCN; and

WHEREAS, the City Council finds that it is advantageous and in the best interest of the City to accept and approve the City revised County Commission's Interlocal Agreement for the issuance of a COPCN with the conditions contained therein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF MARCO ISLAND, FLORIDA, AS FOLLOWS:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Council accepts and approves the City revised Interlocal Agreement which includes the City's three (3) conditions contained within the Interlocal Agreement, attached hereto as Exhibit "A."

SECTION 3. That the Chair is hereby authorized to execute the Interlocal Agreement, attached hereto as Exhibit "A" together with such non-substantive changes as are deemed acceptable to the Interim City Manager, and approved as to form and legal sufficiency by the City Attorney.

SECTION 4. That the appropriate City officials are authorized to do all things necessary and expedient in order to carry out the aims of this Resolution.

SECTION 5. The foregoing Resolution shall take effect immediately upon its adoption on this 6th day of August 2018.

ATTEST:

CITY OF MARCO ISLAND, FLORIDA

Laura M. Litzan, City Clerk

By: _____
Jared Grifoni, Chairman

Approved as to form and legal sufficiency:

Alan L. Gabriel, City Attorney