

**RESOLUTION NO. 19-08-01**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT, LEE COUNTY, FLORIDA TO AMEND SECTION 11 OF RESOLUTION 19-07-03 TO CHANGE THE DATE AND PLACE OF THE PUBLIC HEARING TO ADOPT THE FINAL RATE RESOLUTION FOR THE 2019/2020 FISCAL YEAR; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS: PROVIDING FOR LIBERAL CONSTRUCTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Lehigh Acres Fire Control and Rescue District ("District") located in Lee County, Florida is an independent special fire control district which has the power and authority described in Florida law, including the District's enabling legislation; and,

WHEREAS, the Board of Commissioners of the Lehigh Acres Fire Control and Rescue District adopted the Preliminary Rate Resolution (Resolution 19-07-03) for the 2019/2020 fiscal year on July 30, 2019; and,

WHEREAS, the Preliminary Rate Resolution (Resolution 19-07-03) contained an approved date, time and place of the public hearing to approve the Final Rate Resolution for the 2019/2020 fiscal year; and,

WHEREAS, it is necessary to now change the date and location of the public hearing to adopt the Final Rate Resolution for the 2019/2020 fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Lehigh Acres Fire Control and Rescue District Board of Commissioners, that:

**SECTION ONE: INCORPORATION OF RECITALS**

The recitals set forth above are true and correct and form a part of this Resolution.

## **SECTION TWO: AUTHORITY**

The Board of Commissioners is authorized to adopt this Resolution by Florida law.

## **SECTION THREE: CHANGE OF DATE AND PLACE OF PUBLIC HEARING TO ADOPT FINAL RATE RESOLUTION**

Section 11 of Resolution 19-07-03 is hereby amended to establish a NEW public hearing date and place for the public hearing to adopt the Final Rate Resolution for the 2019/2020 fiscal year so that the public hearing shall now be held at 6:01 p.m. on September 16, 2019, at the East Lee County High School Auditorium, 715 Thomas Sherwin Avenue, Lehigh Acres, Florida 33974, at which time the District will receive and consider any comments on the fire protection and emergency rescue assessments from the public and affected property owners and consider proposing fire protection and emergency rescue assessments for the fiscal year commencing October 1, 2019, on the same bill as for ad valorem taxes which is sometimes called the Uniform Method of Collection. The Notice of Public Hearing to be published and the Notice of Public Hearing to be mailed shall be changed accordingly.

## **SECTION FOUR: SCRIVENER'S ERRORS**

The Board of Commissioners intends that all sections of this Resolution which contain typographical errors which do not affect the intent of this Resolution can be administratively corrected by the authorization of the Fire Chief, or his designee, without the requirement of having a corrected Resolution adopted by the Board of Commissioners.

## **SECTION FIVE: CONFLICT**

Any provision of any District Resolution which is in conflict with the provisions of this Resolution is repealed prospectively to the extent of such conflict.

**SECTION SIX: LIBERAL CONSTRUCTION**

The terms and provisions of this Resolution shall be liberally construed to affect the purpose for which it is adopted.

**SECTION SEVEN: SEVERABILITY.**

If any portion of this Resolution is for any reason held or declared to be unconstitutional, invalid or void, such holding shall not affect the remaining portions of this Resolution. If this Resolution shall be held to be inapplicable to any person or circumstances, such holding shall not affect the applicability of this Resolution to any other person or circumstances.

**SECTION EIGHT: EFFECTIVE DATE.**

This Resolution shall take effect upon the adoption of this Resolution by the Board of Commissioners of the Lehigh Acres Fire Control and Rescue District.

The foregoing Resolution was offered by Commissioner Carter, who moved its adoption. The motion was seconded by Commissioner Cunningham and being put to a vote, the vote was as follows:

Commissioner Catherine (Cathy) Kruse	<u>Aye</u> <i>ck</i>
Commissioner Debra Cunningham	<u>Aye</u> <i>dec</i>
Commissioner Linda Carter	<u>Aye</u> <i>lrc</i>
Commissioner Robert Bennett	<u>Aye</u> <i>R.S.B</i>
Commissioner Lucia Sherman	<u>Aye</u> <i>js</i>

DULY PASSED AND ADOPTED on the 14th day of August, 2019.

**LEHIGH ACRES FIRE CONTROL AND RESCUE DISTRICT**

Catherine Kruse  
Catherine (Cathy) Kruse, Chair

ATTEST:

Lucia Sherman  
Lucia Sherman, Treasurer/Secretary