

December 29<sup>th</sup>

2004

**KEY LARGO WASTEWATER TREATMENT DISTRICT BOARD OF  
COMMISSIONERS SPECIAL CALL MEETING**

**AGENDA**

**Wednesday, December 29, 2004 at 5:00 PM**

**Key Largo Civic Club, 209 Ocean Bay Drive**

**Key Largo, FL**

**Charles Brooks**

**Gary Bauman**

**Andrew Tobin**

**Glenn Patton**

**Claude Bullock**

**Chairman**

**Vice Chairman**

**Secretary-Treasure**

**Commissioner**

**Commissioner**

.....  
**Charles F. Fishburn**

**Thomas Dillon**

**Carol Simpkins**

**General Manager**

**District Counsel**

**Board Clerk**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the KLWTD Board, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Board Clerk at 305-451-5105 at least 48 hours in advance to request accommodations.

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**IV. APPROVAL OF AGENDA WITH ANY ADDITIONS OR DELETIONS**

**V. PUBLIC HEARING:**

1. RESOLUTION NO. 07-12-04

A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, KEY LARGO, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE UNINCORPORATED AREA OF THE ISLAND OF KEY LARGO; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**TAB 1**

**VI. ADJOURNMENT**

**KEY LARGO WASTEWATER TREATMENT DISTRICT**  
**Agenda Request Form**

Meeting Date: December 29, 2004

Agenda Item No. 1

- |   |  |
|---|--|
| <input type="checkbox"/> PUBLIC HEARING           | <input checked="" type="checkbox"/> RESOLUTION |
| <input type="checkbox"/> DISCUSSION               | <input type="checkbox"/> BID/RFP AWARD         |
| <input type="checkbox"/> GENERAL APPROVAL OF ITEM | <input type="checkbox"/> CONSENT AGENDA        |
| <input type="checkbox"/> Other:                   |  |

**SUBJECT:** Resolution to use the uniform method of collecting non-ad valorem special assessments.

**RECOMMENDED MOTION/ACTION:** Adoption of Resolution No. 07-12-04

Approved by General Manager *C. J. [Signature]*  
 Date: 12-23-04

<b>Originating Department:</b> General Manger	Costs: \$  Funding Source:  Acct #	<b>Attachments:</b> Resolution No. 07.12.04
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u><i>[Signature]</i></u> <input checked="" type="checkbox"/> General Manager <u><i>[Signature]</i></u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
	All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda.	Yes I have notified everyone _____ or Not applicable in this case _____  Please initial one.

**Summary Explanation/Background:** It is prudent for the Board to retain this taxing option at this time. This resolution does not obligate the District to impose a special assessment but it gives the District the option to. Further studies and public meetings are required before a decision can be made.

**Resulting Board Action:**

- Approved     
  Tabled     
  Disapproved     
  Recommendation Revised

**RESOLUTION NO. 07-12-04**

**A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, KEY LARGO, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE UNINCORPORATED AREA OF THE ISLAND OF KEY LARGO; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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WHEREAS, the Board of Commissioners of the Key Largo Wastewater Treatment District (the "District") is contemplating the imposition of special assessments for the provision of wastewater management services;

WHEREAS, the District intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing wastewater management services to property within the unincorporated area of the District as authorized by section 197.3632(3)(a), Florida Status, as amended, because this method will allow such special assessments to be collected annually commencing in November 2005, in the same manner as provided for ad valorem taxes; and

WHEREAS, the District held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE KEY LARGO WASTEWATER TREATMENT DISTRICT BOARD OF KEY LARGO, FLORIDA, THAT:

Section 1. Commencing with the Fiscal Year beginning on October 1, 2005, and with the tax statement mailed for such Fiscal Year, the District intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632(3)(a), Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing wastewater management services. Such non-ad valorem assessments shall be levied within the unincorporated area of the District. The area potentially subject to the assessment is described as follows:

The territory consisting of Key Largo, including all lands east of Tavernier Creek, including Tavernier, Key Largo, and Cross Key, with the exception of Ocean Reef, all in Monroe County, Florida.

Section 2. The District hereby determines that the levy of the assessments is needed to fund the cost of wastewater management services within the unincorporated area of the District.

Section 3. Upon adoption, the Board Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Monroe County Tax Collector, and the Monroe County Property appraiser by January 10, 2005.

Section 4. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

**RESOLVED AND ADOPTED this 29th day of December, 2004.**

**THE REST OF THIS PAGE IS LEFT BLANK INTENTIONALLY**

The foregoing RESOLUTION NO. 07-12-04 was offered by Commissioner \_\_\_\_\_, who moved its approval. The motion was seconded by Commissioner \_\_\_\_\_, and being put to a vote the result was as follows:

	AYE	NAY
Commissioner Gary Bauman	_____	_____
Commissioner Claude Bullock	_____	_____
Commissioner Glenn Patton	_____	_____
Commissioner Andrew Tobin	_____	_____
Chairman Charles Brooks	_____	_____

The Chairman thereupon declared Resolution No. 07-12-04 duly passed and adopted the 29<sup>th</sup> day of December, 2004.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: \_\_\_\_\_  
Chairman Charles Brooks

ATTEST:

Approved to as to form and legal sufficiency

\_\_\_\_\_

\_\_\_\_\_

Carol Simpkins, Clerk

District Counsel, Thomas Dillon

SEAL

**KEY LARGO WASTEWATER TREATMENT DISTRICT BOARD OF  
COMMISSIONERS SPECIAL CALL MEETING**

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Glenn Patton  
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Vice Chairman  
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Thomas Dillon  
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**General Manager  
District Counsel  
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**SUBJECT:** Resolution to use the uniform method of collecting non-ad valorem special assessments.

**RECOMMENDED MOTION/ACTION:** Adoption of Resolution No. 07-12-04

Approved by General Manager *C. J. A.*  
 Date: 12-23-04

<b>Originating Department:</b> General Manger	Costs: \$ Funding Source: Acct #	<b>Attachments:</b> Resolution No. 07.12.04
<b>Department Review:</b> <input checked="" type="checkbox"/> District Counsel <u><i>M.W.</i></u> <input checked="" type="checkbox"/> General Manager <u><i>C.J.A.</i></u> <input type="checkbox"/> Finance _____	<input type="checkbox"/> Engineering _____ <input type="checkbox"/> Clerk _____	<b>Advertised:</b> Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required
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Commissioner Gary Bauman	_____	_____
Commissioner Claude Bullock	_____	_____
Commissioner Glenn Patton	_____	_____
Commissioner Andrew Tobin	_____	_____
Chairman Charles Brooks	_____	_____

The Chairman thereupon declared Resolution No. 07-12-04 duly passed and adopted the 29<sup>th</sup> day of December, 2004.

**KEY LARGO WASTEWATER TREATMENT DISTRICT**

BY: \_\_\_\_\_  
 Chairman Charles Brooks

ATTEST: \_\_\_\_\_ Approved to as to form and legal sufficiency  
 \_\_\_\_\_  
 Carol Simpkins, Clerk District Counsel, Thomas Dillon

SEAL

Dec. 29, 2004

Call to order 5:10 pm

Pledge: Brooks

Roll Call

Member	Yes	No	Other	Present
Commissioner Andrew Tobin			AB	
Commissioner Gary Bauman				
Commissioner Glenn Patton				✓
Commissioner Claude Bullock				✓
Chairman Charles Brooks				✓

Approval of Agenda

Motion

*Claude*

Second

*Glenn*

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				
Commissioner Gary Bauman				
Commissioner Glenn Patton				
Commissioner Claude Bullock				
Chairman Charles Brooks				

Public Comment

Chris Candvek -

John Hamrickson Taxman - Com. Best served w/ option  
for other funding source - Keep cost of on site facilities  
if can afford it don't do it,

Jerry - ? Fairness in taxing - Parady  
wisdom of timing of ADS  
TAX on top of already Ad Valorem TAX

Chris - set of rules for setting non Ad Valorem  
what properties are eligible.

Steve why only 3 out of 5

Glen - Delivering huge improvement to property owners

Resolution No. 07.12.04

*PH. Claude*

Motion *Glenn*  
Second *Claude*

Member	Yes	No	Other	Present
Commissioner Andrew Tobin				<i>A</i>
Commissioner Gary Bauman				<i>A</i>
Commissioner Glenn Patton		<i>✓</i>		
Commissioner Claude Bullock		<i>✓</i>		
Chairman Charles Brooks		<i>✓</i>		

*3-0*

**Motion to adjourn:**

**Seconded by:**

**Adjournment: Time \_\_\_\_\_**