

Key Largo Wastewater Treatment District Board of Commissioners Meeting Agenda Item Summary

Meeting Date:
March 12, 2019

Agenda Item Number: I-2

Agenda Item Type:
Resolution

Agenda Item Scope:
Review / Discussion

Recommended Action:
Action: Approval

Department:
Legal

Sponsor:
Nicholas Mulick

Subject:
MCLA Conservation Waiver - AK#1562271

Summary of Discussion:

Monroe County Land Authority (MCLA) requests the waiver of wastewater service and assessment for one Tier I parcel (AK#1562271) to be used as conservation.

Reviewed / Approved

Financial Impact

Attachments

Operations: _____
Customer Service: _____
Finance: _____
District Counsel: _____
District Clerk: _____
Engineering: _____

\$ 0.00 \$ 1,739.50
Refunded Uncollected
Funding Source:
Assessment Revenue
Budgeted:
No

1. Resolution 01-02-19
2. Request for Waiver
3. Map

Approved By: 
General Manager

Date: 3/6/19

RESOLUTION NO. 01-02-19

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT (“THE DISTRICT”) APPROVING THE REQUEST OF THE MONROE COUNTY LAND AUTHORITY TO EXCLUDE ONE TAX PARCEL AS CONSERVATION LAND FROM THE 2006 NON-AD VALOREM ASSESSMENT AND WAIVE ALL FUTURE SYSTEM DEVELOPMENT CHARGE (“SDC”) ASSESSMENTS; AND PROVIDING FOR APPLICABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Tax Parcel described in Section 1 legally described in Exhibit “A” attached hereto and made a part hereof by reference (“the Subject Tax Parcel”), is being conveyed to the Monroe County Land Authority (“Land Authority”), a local agency, for the purpose of protecting the natural environment and preserving wildlife habitat under the provisions of Chapter 380, F.S. and/or Monroe County Code Section 2-397; and

WHEREAS, the Subject Tax Parcel will be used as a Conservation Parcel and will not be improved with facilities that will generate wastewater; and

WHEREAS, application has been made to the District to exclude the Subject Tax Parcel from the 2006 non-ad valorem assessment and waive the outstanding balance of the Subject Tax Parcel’s SDC; and

WHEREAS, pursuant to Section 10.06(a)(iii)2), of the District’s General Rules and Regulations (“Rules”), Conservation Parcels will be exempted from the SDC upon conveyance of the Subject Tax Parcel to the Land Authority.

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

- Section 1. Recitals. The above recitals are true and correct and incorporated into this Resolution by reference.
- Section 2. Approve Waiver. The Board finds that there is good and sufficient cause to approve the request to exclude the Subject Tax Parcel from the 2006 Final Assessment Roll upon conveyance to the Land Authority.
- Section 3. Excluded Tax Parcel. Upon receipt by the District of proof that the Land Authority has acquired title to the Subject Tax Parcel, the SDC imposed on the Subject Tax Parcel shall be removed and the property classified as Excluded.
- Section 4. Effective Date. This Resolution shall be effective upon adoption by the Board.

Section 5. Implementation. The General Manager and/or his designee is authorized to take all actions necessary to implement the terms of this Resolution.

The foregoing Resolution was offered by Commissioner _____, who moved for its approval. The motion was seconded by Commissioner _____, and being put to a vote, the result was as follows:

	AYE	NAY
Chairman Asdourian	_____	_____
Commissioner Gibbs	_____	_____
Commissioner Heim	_____	_____
Commissioner Majeska	_____	_____
Commissioner Tobin	_____	_____

The Chairman thereupon declared this Resolution duly passed and adopted the 12th day of March 2019.

KEY LARGO WASTEWATER TREATMENT DISTRICT

By: _____
David Asdourian, Chairman

Approved to as to form and legal sufficiency:

ATTEST:

By: _____
Nicholas W. Mulick,
General Counsel

By: _____
Diane Bockelman, Clerk

SEAL

RESOLUTION NO. 01-02-19
RE NO. 00458730-000000
AK NO. 1562271

EXHIBIT "A"

Lot 2, Block 17, LARGO GARDENS, according to the Plat thereof, as recorded in Plat Book 3, at Page 62, of the Public Records of Monroe County, Florida.



MONROE COUNTY LAND AUTHORITY
1200 Truman Avenue, Suite 207, Key West, FL 33040
Phone: (305) 295-5180 Fax: (305) 295-5181

February 19, 2019

Peter Rosasco, General Manager
Key Largo Wastewater Treatment District
PO Box 491
Key Largo, FL 33037

Re: Request to Remove Property from KLWTD Assessment Roll for Pending Acquisition
of Conservation Land
AK# 1562271 / Block 17, Lot 2, Largo Gardens

Dear Mr. Rosasco:

The above referenced property is under contract for purchase by the Monroe County Comprehensive Plan Land Authority as Tier 1 conservation land. Conservation lands acquired by the Authority will be maintained as natural areas, will not be developed, will not generate wastewater, and therefore will not need a connection to the Key Largo Wastewater Treatment District wastewater system.

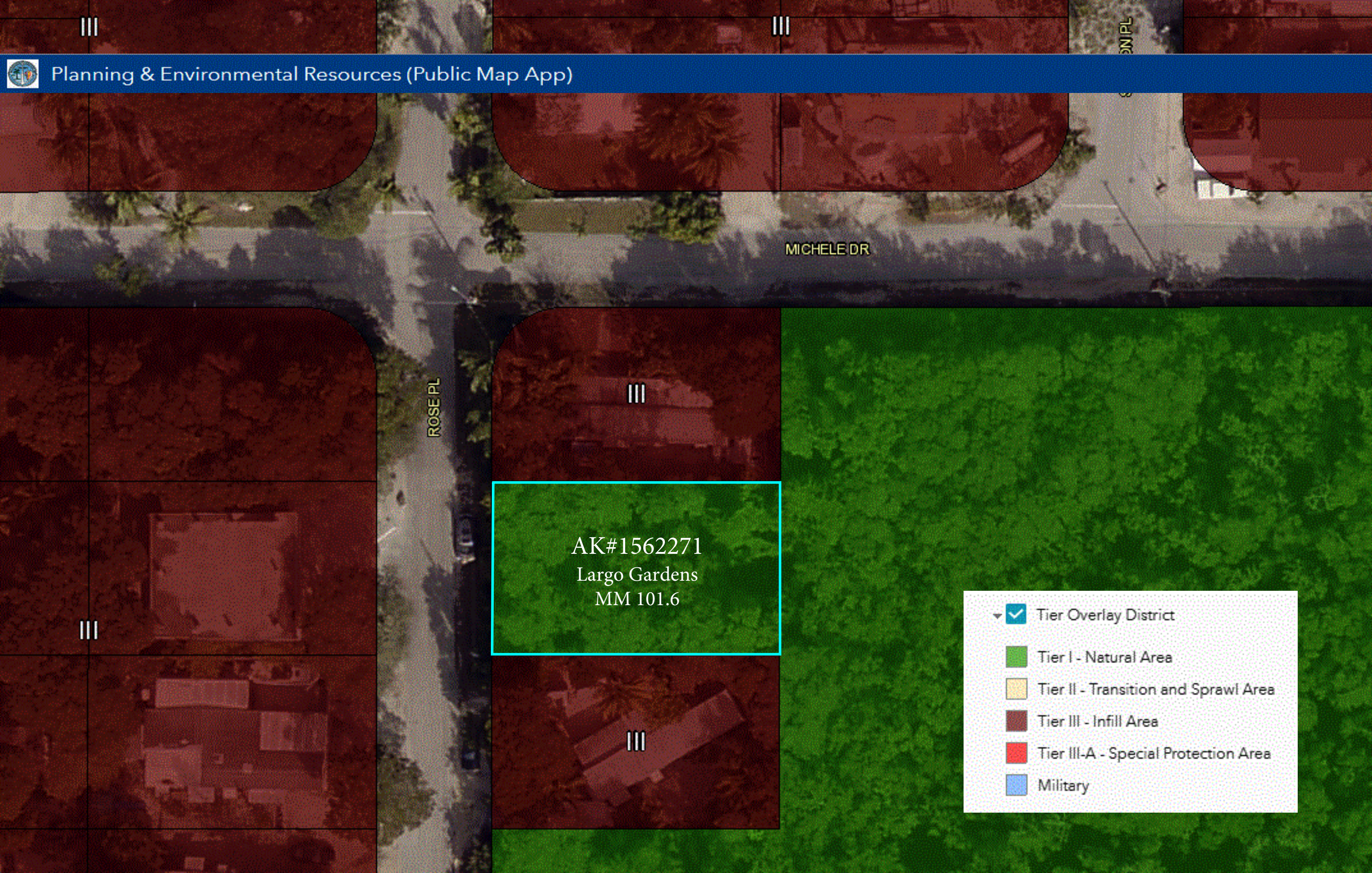
Consistent with Section 10.06 (a)(iii) of the KLWTD General Rules and Regulations, I am respectfully requesting that the District remove the subject property the KLWTD assessment roll and waive all assessments prior to closing.

Thank you for your assistance with this matter. Please contact me should you require any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Charles G. Pattison".

Charles G. Pattison
Executive Director



ROSE PL

MICHELE DR

AK#1562271
Largo Gardens
MM 101.6

- Tier Overlay District
- Tier I - Natural Area
- Tier II - Transition and Sprawl Area
- Tier III - Infill Area
- Tier III-A - Special Protection Area
- Military