

RESOLUTION NO. 10-07-46

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO NEGOTIATIONS FOR AN AGREEMENT WITH KEY LARGO WASTEWATER TREATMENT DISTRICT; PROVIDING FOR A REASONABLE TIMETABLE; PROVIDING FOR INTENT; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands and the Key Largo Wastewater Treatment District ("District") believe it is in their best interest to enter into negotiations to formulate and adopt a long term agreement under which the Village would deliver wastewater to the District and the District would treat the wastewater and dispose of all by-products; and

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA AS FOLLOWS:

Section 1. Findings of Fact. The parties agree to negotiate in good faith to arrive at a long term agreement that is reasonable and fair to both parties and their respective customers and is consistent with the standards set forth in other agreements between local governments.

Section 2. Timetable. The parties will adopt a reasonable timetable for moving forward with negotiations.

Section 3. Intent. This resolution is not intended, and shall not be construed, to be a binding agreement between the parties. The parties recognize there may be grounds to delay negotiations and/or to provide contingency plans that could defer the implementation of any agreement. It is the intent of the parties that a binding agreement between them will not exist

CERTIFIED COPY OF ORIGINAL
Beverly Raddatz
BEVERLY RADDATZ, VILLAGE CLERK

until a full agreement is negotiated and drafted and expressly adopted by the District Board of Commissioners and Village Council.

Section 4. Transmittal. The Village Clerk of Islamorada, Village of Islands is hereby directed to forward a copy of this resolution to Key Largo Wastewater Treatment District Clerk.

Section 5. Effective Date. This Resolution shall be effective immediately upon its adoption.

Motion to adopt by Councilman Philipson; seconded by Councilman Johnson.

FINAL VOTE AT ADOPTION
VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS:

Mayor Michael Reckwerdt	YES
Vice Mayor Don Achenberg	YES
Councilman Bob Johnson	YES
Councilman Ken Philipson	YES
Councilman Dave Purdo	YES

PASSED AND ADOPTED THIS 22nd DAY OF JULY, 2010.

ATTEST:


DON ACHENBERG, VICE MAYOR


VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS ONLY


VILLAGE ATTORNEY

RESOLUTION NO. 09-07-10
CONCURRENT RESOLUTION OF INTENT BY THE
KEY LARGO WASTEWATER TREATMENT DISTRICT
AND
ISLAMORADA, VILLAGE OF ISLANDS
CONCERNING

NEGOTIATIONS FOR A WASTEWATER TREATMENT AGREEMENT

WHEREAS, the Key Largo Wastewater Treatment District ("District") and Islamorada, Village of Islands ("Village") believe it is in their best interests to enter into negotiations to formulate and adopt a long terms agreement under which the Village would deliver wastewater to the District and the District would treat the wastewater and dispose of all by-products; and

NOW, THEREFORE, Be It Resolved:

- A. The parties agree to negotiate in good faith to arrive at a long term agreement that is reasonable and fair to both parties and their respective customers and is consistent with the standards set forth in other agreements between local governments; and
- B. The parties will adopt a reasonable timetable for moving forward with negotiations.

CAVEAT: This joint resolution is not intended, and shall not be construed, to be a binding agreement between the parties. The parties recognize there may be grounds to delay negotiations and/or to provide contingency plans that could defer the implementation of any agreement. It is the intent of the parties that a binding agreement between them will not exist until a full agreement is negotiated and drafted and expressly adopted by the District Board of Commissioners and the Village Council.

KEY LARGO WASTEWATER
TREATMENT DISTRICT

Voting Yes:

[Signature]
[Signature]
Andrew [Signature]

Voting No.

CHARLES BROOKS
NORMAN HIGGINS

ATTEST: Key Largo Treatment District Clerk

Date: July 12, 2010

[Signature]

Approved as to Content and Form:

By: [Signature]

Its: District Counsel



ISLAMORADA, VILLAGE OF ISLANDS

Voting Yes:

Voting No:

ATTEST: Islamorada, Village Clerk

Date: _____, 2010

Approved as to Content and Form:

By: _____

Its: Village Counsel