

RESOLUTION NUMBER 11-08-10

A PRELIMINARY RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT REGARDING CLASSIFICATION AND NON-AD VALOREM ASSESSMENT OF CERTAIN TAX PARCELS, DISTRICT GENERAL RULES AND REGULATIONS, AND MONTHLY RATES AND CHARGES; AND ESTABLISHING A DATE FOR A PUBLIC HEARING TO CONSIDER AMENDMENTS OF THE DISTRICT'S NON-AD VALOREM ASSESSMENT RESOLUTIONS, DISTRICT RULES AND REGULATIONS, AND MONTHLY RATES AND CHARGES FOR WASTEWATER COLLECTION, TRANSMISSION, TREATMENT, AND DISPOSAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Key Largo Wastewater Treatment District first adopted a resolution for non-ad valorem assessment of certain properties within the District in 2005, and adopted subsequent resolutions to amend the that resolution and to provide for non-ad valorem assessment of additional properties in 2006, 2007, 2008, and 2009; and

WHEREAS, the District has adopted General Rules and Regulations, and last amended the same on September 16, 2009; and

WHEREAS, the District has adopted a resolution providing for monthly rates and charges for wastewater collection, transmission, treatment, and disposal, and last amended the same on May 3, 2006; and

WHEREAS, it appears that the resolutions described above may require further amendment to address various subjects, including non-ad valorem assessment of common-interest properties, assistance to property owners who qualify for low-income assistance, construction of District wastewater facilities, assessment of charges and surcharges for high levels of Biological Oxygen Demand, monthly rates and charges for wastewater collection, transmission, treatment, and disposal, other matters shown in the attached proposed resolutions, and such other issues as may come to the attention of the District;

NOW, THEREFORE, the District Board of Commissioners resolves:

1. **PUBLIC HEARING.** The Board will conduct a public hearing at 4:00 p.m., or as soon thereafter as the matter can be heard, on September 21, 2010, at the District Office located at 98880 Overseas Highway, Key Largo, Florida, to consider amendments to the District non-ad valorem assessment resolutions, the District General Rules and Regulations, the District resolution providing for monthly rates and charges for wastewater collection, transmission, treatment, and disposal, as shown in the attached draft resolutions, and such other issues as may come to the attention of the District.

2. **NOTICE BY PUBLICATION AND BY MAIL.** The District Clerk shall publish and mail notices of the public hearing not later than August 27, 2010.

3. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption by the District.

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

	AYE	NAY
Chairman Norman Higgins	<u>✓</u>	___
Commissioner Charles Brooks	<u>✓</u>	___
Commissioner Susan Ford Hammaker	<u>✓</u>	___
Commissioner Robby Majeska	<u>✓</u>	___
Commissioner Andrew Tobin	<u>✓</u>	___

The Chairman thereupon declared Resolution No. 11-08-10 duly passed and adopted the 17th day of August, 2010

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: Norman Higgins
Chairman Norman Higgins

ATTEST:

Approved to as to form and legal sufficiency

Carol Walker

Carol Walker, District Clerk

Thomas M. Dillon

District Counsel, Thomas M. Dillon

SEAL