

**RESOLUTION NUMBER 06-04-11**

**A RESOLUTION OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT AMENDING RESOLUTION 26-12-10 PROVIDING FOR TEMPORARY DEFERRAL OF CONNECTION REQUIREMENTS AND CREDITS FOR WASTEWATER FEES COLLECTED FROM LOW-INCOME RESIDENTS; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on December 21, 2010, the Key Largo Wastewater Treatment District adopted resolution 26-12-10 providing for provide temporary assistance for certain low-income residents; and

WHEREAS, in light of further information provided by Monroe County regarding eligibility of residents for low-income assistance with connection to the District wastewater system, the District desires to amend said resolution;

NOW, THEREFORE, the District Board of Commissioners resolves:

- 1. CLASSIFICATION OF LOW-INCOME RESIDENTS ELIGIBLE FOR TEMPORARY RELIEF.** The persons eligible for temporary relief are all those persons ("Applicants") who have applied, or will apply for Community Development Block Grant ("CDBG") assistance offered by HUD through Monroe County.
- 2. EFFECTIVE DATE OF TEMPORARY RELIEF.** The temporary relief provided under this resolution will take effect upon certification by the Monroe County Housing Authority ("MCHA") that it has received an application from the Applicant for CDBG assistance.
- 3. INITIAL DURATION OF TEMPORARY RELIEF.** The temporary relief for an Applicant will initially last until the later of (a) 60 days after the effective date of this resolution, or (b) 60 days after the District receives certification from MCHA that the Applicant has filed an application for CDBG assistance. The temporary relief may be extended or terminated as provided below.
- 4. EXTENSION OF TEMPORARY RELIEF ON NOTIFICATION OF COMPLETE APPLICATION.** If MCHA notifies the District that an Applicant has filed a Complete Application for assistance, the District will extend the temporary relief for an additional 60 days. For purposes of this resolution, a "Complete Application" means an application for which the Applicant has provided to MCHA all information that the Applicant must supply in order for MCHA to undertake review of the application. An otherwise Complete Application is not incomplete if the only information needed by MCHA is information that must be supplied to MCHA by third parties, including without limitation, mortgage verification, income verification, and other similar or dissimilar information.
- 5. EXTENSION OF TEMPORARY RELIEF ON NOTIFICATION OF APPROVAL OF APPLICATION.** If MCHA notifies the District that an individual application has been approved for CDBG assistance, the temporary relief will be extended for ninety days from the date of such notification, or until the lateral connection has been completed and placed in service, whichever occurs first.

6. **EFFECT OF TEMPORARY RELIEF.** Upon granting temporary relief, the District will notify the applicant that he or she is receiving temporary relief. For the duration of the temporary relief, the District will not require the Applicant to connect to the District collection system, and the District will suspend billing of the Applicant for wastewater services. If the District has billed the Applicant for wastewater services during the temporary relief period, the District will cause a credit to be issued to the applicant equal to the amount received by the District for wastewater services.

7. **TERMINATION OF TEMPORARY RELIEF.** The District will terminate temporary relief to an Applicant upon the occurrence of any of the following events: (a) the District does not receive notification from MCHA within 60 days from the initial date of temporary relief that the application is a Complete Application; (b) the District does not receive notification from the MCHA within 60 days from the date of notification of a Complete Application that the application is approved; (c) the District receives notification from MCHA that the application is withdrawn; (d) the District receives notification from MCHA that the Applicant is ineligible for CDBG assistance.

8. **EFFECT OF TERMINATION OF TEMPORARY RELIEF.** Upon termination of temporary relief, the District will promptly send a 30-day notice to connect to the Applicant, and the District will thereafter impose wastewater charges according to the District's normal procedures.

9. **APPLICABILITY OF THIS RESOLUTION TO PERSONS WHO RECEIVED TEMPORARY RELIEF UNDER RESOLUTION 26-12-10.** The District will notify all persons who have received temporary relief under Resolution 26-12-10 that District has amended its low-income temporary relief procedures, and that the District will review their applications in accordance with the terms of this resolution.

10. **EFFECTIVE DATE.** This resolution shall take effect immediately upon its adoption by the District.

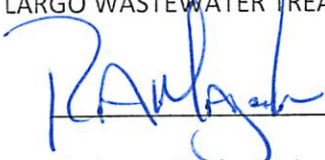
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The foregoing RESOLUTION was offered by Commissioner BROOKS, who moved its approval. The motion was seconded by Commissioner Hammaker and being put to a vote the result was as follows:

	AYE	NAY
Chairman Robby Majeska	<u>X</u>	—
Commissioner Charles Brooks	<u>X</u>	—
Commissioner Susan Ford Hammaker	<u>X</u>	—
Chairman Norman Higgins	—	<u>X</u>
Commissioner Andrew Tobin	—	<u>Absent</u> —

The Chairman thereupon declared Resolution No. 06-04-11 duly passed and adopted the 5th day of April, 2011

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY:   
Chairman Robby Majeska

ATTEST: Approved to as to form and legal sufficiency



Carol Walker, District Clerk



District Counsel, Thomas M. Dillon

SEAL