

## RESOLUTION NO. 06-03-13

### A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT ESTABLISHING PROCEDURES FOR APPROVING ASSESSMENT WAIVERS FOR TAX PARCELS PURCHASED BY THE MONROE COUNTY LAND AUTHORITY, MONROE COUNTY OR OTHER MONROE COUNTY ENTITIY FOR CONSERVATION PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Monroe County Land Authority (“Land Authority”) is a blended component unit of Monroe County government, which was created pursuant to Florida Statutes section 380.0663 and Monroe County Code section 2-397 and which is governed by the Monroe County Board of County Commissioners; and

**WHEREAS**, the Land Authority was established to assist in the implementation of the County’s land use plan by acquiring property for conservation, recreation, and affordable housing purposes; and

**WHEREAS**, from time to time, Monroe County and/or the Land Authority purchase, for conservation purposes, certain tax parcels located with the boundaries of the Key Largo Wastewater Treatment District (hereinafter referred to as “Conservation Parcels”); and

**WHEREAS**, Conservation Parcels are represented by Monroe County and/or the Land Authority as incapable of being improved with facilities that will generate wastewater.

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

**Section 1.** All Conservation Parcels purchased by Monroe County and/or the Land Authority shall be exempted from the Key Largo Wastewater Treatment District’s System Development Charge provided that Monroe County and/or the Land Authority have submitted to the District documentation showing that:

- a) the Conservation Parcel(s) have been purchased by Monroe County and/or the Land Authority for conservation purposes, and
- b) the Conservation Parcel(s) are not capable of being improved with facilities that will generate wastewater.

**Section 2.** With respect to any such Conservation Parcels excluded by authority of this Resolution, the District shall hereby authorize the Monroe County Tax Collector to credit the entire Non-Ad Valorem wastewater assessments for the current tax year if the real property tax bill has not been paid.

**Section 3.** The District hereby authorizes the Monroe County Tax Collector to issue credits to holders of tax certificates issued with respect to all such parcel(s) purchased by Monroe County and/or the Land Authority and excluded by the District from the District’s entire Non-ad Valorem Assessment to the extent as the tax certificates were sold to collect District Non-ad Valorem Assessments as shall be provided for by law.

- Section 4.** With respect to any such Conservation Parcels excluded by authority of this Resolution, no previous or current owner of that parcel shall be entitled to direct refund of any System Development Charges, interest, collection fees, statutory discounts, or any other fees associated with previously assessed non-ad valorem wastewater charges including but not limited to penalties or tax certificate charges previously paid.
- Section 5.** If the District, in its sole discretion, later provides Wastewater Services to any of excluded Conservation Parcel(s), the then-current owner(s) shall be required to pay to the District all direct and indirect costs and expenses, including, but not limited to, an amount fairly representing the special benefit that the parcel(s) will receive, as determined by the District.
- Section 6.** APPLICABILITY AND EFFECTIVE DATE. This resolution shall take effect upon adoption by the Board of Commissioners.

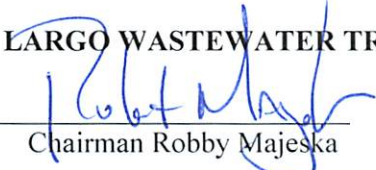
**RESOLVED AND ADOPTED THIS 19<sup>th</sup> DAY OF MARCH 2013**

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

	AYE	NAY
Commissioner Robert Majeska	<u>  X  </u>	<u>      </u>
Commissioner Andrew Tobin	<u>  X  </u>	<u>      </u>
Commissioner Norman Higgins	<u>  X  </u>	<u>      </u>
Commissioner Steven Gibbs	<u>  X  </u>	<u>      </u>
Commissioner David Asdourian	<u>  X  </u>	<u>      </u>

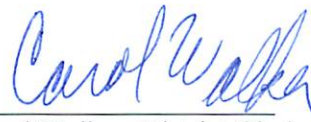
The Chairman thereupon declared Resolution No. 06-03-13 duly passed and adopted the 19<sup>th</sup> day of March, 2013

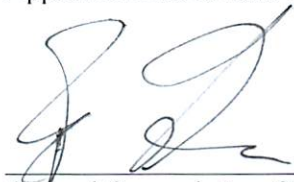
**KEY LARGO WASTEWATER TREATMENT DISTRICT**

BY:   
Chairman Robby Majeska

ATTEST:

Approved to as to form and legal sufficiency

  
Carol Walker, District Clerk  
SEAL

  
General Counsel, Ray Giglio

