

RESOLUTION NO. 15 -05-14

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT, REQUESTING AND AUTHORIZING THE MONROE COUNTY, SUPERVISOR OF ELECTIONS TO PLACE ON THE AUGUST 26, 2014 BALLOT A REFERENDUM AUTHORIZING THE DISTRICT TO PRESCRIBE, FIX, AND ESTABLISH A SPECIAL LOWER RATE, FEE, RENTAL, OR OTHER CHARGE ON THE RESIDENTIAL ACCOUNT OF ANY PERSON WHO IS SIXTY YEARS OF AGE OR OLDER OR A DISABLED AMERICAN VETERAN MEETING LOW INCOME STANDARDS.

WHEREAS, the Key Largo Wastewater Treatment District (hereinafter the "District") was authorized and created by the Key Largo Wastewater Treatment District Act (Chapter 2002-337 of the Laws of Florida, as amended) (hereinafter, the "Act"); and

WHEREAS, Section 4 of the Act details the Powers, Functions, and Duties of the District; and

WHEREAS, subsection (2) of Section 4 of the Act authorizes and empowers the District to assess and impose non-ad valorem assessments upon the lands in the District and to fix and collect rates, rentals, fees, and charges for the use of any wastewater management system facilities; and

WHEREAS, on or about 01/14/2014, the District formally requested the assistance of State Representative Holly Merrill Raschein in amending the Act to authorize the District to set and charge special lower rates for low income seniors and disabled American veterans; and

WHEREAS, on or about 03/04/2014 Representative Raschein filed HB 1441, which amended the Act to authorize the District to set and charge special lower rates for low income seniors and disabled American veterans; and

WHEREAS, HB 1441 was subsequently amended to take effect only upon its approval by a majority vote of those qualified electors of the District voting in a referendum to be held in accordance with the provisions of law relating to elections currently in force; and

WHEREAS, A copy of HB 1441, as amended, is attached hereto as Exhibit "A"; and

WHEREAS, HB 1441, as amended, was passed by the Florida House of Representatives on 04/25/2014 and by the Florida Senate on 04/29/2014; and

WHEREAS, HB 1441, as amended, was approved by Governor on 05/12/2014.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT THAT IN ACCORDANCE WITH HB 1441, THE DISTRICT RESPECTFULLY REQUESTS AND AUTHORIZES THE MONROE COUNTY, SUPERVISOR OF ELECTIONS TO PLACE ON THE AUGUST 26, 2014 BALLOT THE FOLLOWING REFERENDUM QUESTION:

“Shall the Key Largo Wastewater Treatment District be authorized and empowered to prescribe, fix, and establish a special lower rate, fee, rental, or other charge on the residential account of any person who is 60 years of age or older or a disabled American veteran and meets the low income and other standards adopted by the board in accordance with the administrative procedures adopted by the board?”

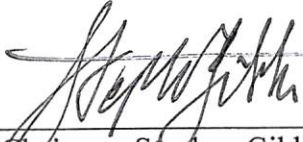
RESOLVED AND ADOPTED THIS 20th DAY OF MAY 2014

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

	AYE	NAY
Commissioner Robert Majeska	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Andrew Tobin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Norman Higgins	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner David Asdourian	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Steve Gibbs	<input checked="" type="checkbox"/>	<input type="checkbox"/>

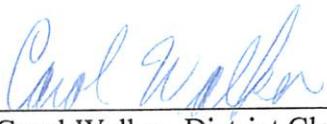
The Chairman thereupon declared Resolution No. 15-05-14 duly passed and adopted the 20th day of May, 2014.

KEY LARGO WASTEWATER TREATMENT DISTRICT

BY: 
Chairman Stephen Gibbs

ATTEST:

Approved as to form and legal sufficiency


Carol Walker, District Clerk



General Counsel, Ray Giglio



Exhibit "A"

ENROLLED

2014 Legislature

CS/HB 1441

1
2 An act relating to the Key Largo Wastewater Treatment
3 District, Monroe County; amending chapter 2002-337,
4 Laws of Florida, as amended; providing that the
5 district is authorized to prescribe, fix, and
6 establish a special lower rate, fee, rental, or other
7 charge on the residential account of any person who is
8 60 years of age or older or a disabled American
9 veteran meeting low income standards; requiring a
10 referendum; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Paragraph (r) is added to subsection (2) of
15 section 4 of section 1 of chapter 2002-337, Laws of Florida, as
16 amended, to read:

17 Section 4. District powers, functions, and duties.—

18 (2) The District is hereby authorized and empowered:

19 (r) To prescribe, fix, and establish a special lower rate,
20 fee, rental, or other charge on the residential account of any
21 person who is 60 years of age or older or a disabled American
22 veteran and meets the low income and other standards adopted by
23 the board in accordance with the administrative procedures
24 adopted by the board.

25 Section 2. This act shall take effect only upon its
26 approval by a majority vote of those qualified electors of the

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb1441-02-er

ENROLLED

2014 Legislature

CS/HB 1441

27 Key Largo Wastewater Treatment District voting in a referendum
28 to be held in accordance with the provisions of law relating to
29 elections currently in force, except that this section shall
30 take effect upon becoming a law.